

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2018

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.18899 of 2014

1.S.Gobi Shankar

2.K.Subramaniam

.. Petitioners

-vs-

1.The Branch Manager,
Indian Bank, Paramathi Branch,
Namakkal District.

2.The Authorized Officer,
Indian Bank, 1st Floor, No.13,
Rangar Sannathi Street, Namakkal.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relating to the possession notice dated 03.07.2014 issued by the 2nd respondent and quash the same as illegal arbitrary and contrary to Sec.31(i) of SARFAESI Act, 2002 and consequently, direct the respondents to grant time to repay the education loan.

For Petitioners : M/s.L.Parvin Banu

For Respondents : Mr.Jayesh B.Dolia
for M/s.Aiyar & Dolia

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

Learned counsel appearing for the petitioner informs this Court that after the filing of this writ petition, the respondent Bank had filed O.S.No.61 of 2017 before the Sub Court, Namakkal in relation to the dues which had to be paid by the petitioner. It is submitted that with the consent of

parties, the said suit was referred to Lok Adalat and before the Lok Adalat, the parties entered into terms of settlement. The suit came to be disposed of in terms of settlement before the Lok Adalat. Learned counsel for the petitioner has produced a copy of the terms of settlement entered into before the Lok Adalat. The same is taken on record.

2.In this view of the matter, nothing survives for adjudication in the present writ petition.

3.The documents, if any, of the petitioner are with the respondent-bank, the same be returned by the bank to the petitioner within four (4) weeks.

4.The writ petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Branch Manager,
Indian Bank, Paramathi Branch,
Namakkal District.

2.The Authorized Officer,
Indian Bank, 1st Floor, No.13,
Rangar Sannathi Street, Namakkal.

+1cc to Mr.Aiyar & Dolia, Advocate, S.R.No.59244

+1cc to Mr.Row & Reddy, Advocate, S.R.No.59058

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NMI (CO)
GSP(14/09/2018)

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