

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.15591 & 15592 of 2010
and MP.Nos.1 & 1 of 2010

S.Martin .. Petitioner
in WP.No.15591/2010

V.Anjaneyalu .. Petitioner
in WP.No.15592/2010

Vs.

1. The Board for Industrial Financial
Reconstruction, Rep. by its Secretary,
Jawahar Vyapar Bhavan,
1, Tolstay Marg, Janpath,
New Delhi - 600 001.
2. Akshaya Textiles Limited,
Rep. by its Managing Director,
P.B.No.2008, Ganapathy Road,
Coimbatore - 641 006. .. Respondents 1 & 2
in both the petitions
3. S.A.Narahari Setty
4. S.N.Santhoshkumar .. Respondents 3 & 4
in WP.No.15592/2010

W.P.No.15591/2010: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to hear and dispose the applications filed by the petitioners above named seeking (1) dismissal of the case of the 2nd Respondent and its de-registration and (2) stay or deferment of the said proceedings till the disposal of C.P.Nos.243 to 252 of 2008 on the file of the Company Law Board, Chennai before proceeding further to consider the draft rehabilitation scheme filed by the present management of the 2nd respondent in Case No.177 of 1989 on its file and pass further orders.

W.P.No.15592/2010: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to hear and dispose the applications filed by the

petitioners above named seeking (1) dismissal of the case of the 2nd Respondent and its de-registration and (2) stay or deferment of the said proceedings till the disposal of C.P.Nos.243 to 252 of 2008 on the file of the Company Law Board, Chennai and (3) initiation of action against the 3rd and 4th respondents under section 33 and 34 of the SICA before proceeding further to consider the draft rehabilitation scheme filed by the present management of the 2nd respondent in Case No.177 of 1989 on its file and pass further orders.

For Petitioner : Mr.R.Srinivas
in both the petitions

For R2 in : Mr.Iyer Thomas for
Mr.H.Karthik Seshadri
WP.No.15591/2010 and
R2 to R4 in WP.No.15592/2010

COMMON ORDER

The learned counsel for the petitioners seeks permission of this Court to withdraw these writ petitions, as the relief sought for herein has become infructuous. He has also made an endorsement to that effect in the writ petitions.

2.In view of the submission and the endorsement so made by the learned counsel for the petitioners, these writ petitions are dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

drl/rk
To

The Secretary, Board for Industrial Financial
Reconstruction,
Jawahar Vyapar Bhavan,
1, Tolstoy Marg, Janpath,
New Delhi - 600 001.

W.P.Nos.15591 & 15592 of 2010

(CO) BR
EU (03/07/2018)