

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2018

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.27101 of 2018

Saroja Ammal

.. Petitioner

-vs-

1.The Presiding Officer,
Debt Recovery Tribunal (DRT III),
Chennai.

2.Indian Overseas Bank,
Thanjavur Main Branch,
rep. by its Chief Manager,
No.1604, South Main Road,
Thanjavur-613 004.

3.The Authorised Officer,
Indian Overseas Bank,
Thanjavur Main Branch,
T.S.No.1604, South Main Road,
Thanjavur-613 009.

4.M/s.Sri Sayee Associates,
rep. by its Partner D.Murugesan,
No.3/2A, Periyar Nagar, 4th Street,
Medical College Road,
Thanjavur.

5.M/s.Sri Sayee Enterprises,
rep. by its Proprietor D.Murugesan,
No.19, Rajaji Road,
Srinivasapuram, Thanjavur.

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6.Murugesan
7.D.Vimala

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration, declaring that the claims made by the 2nd and 3rd respondents, as against the petitioner in O.A.No.374 of 2014 on the file of the Debt Recovery Tribunal III, Chennai be deemed to have been lapsed as no dues and direct the 2nd and 3rd respondents to discharge the collateral security upon the properties, namely M.R.s.Mazhavarayar Kalyana Mandapam comprised in New S.No.328/1, Old S.No.164/4, measuring 0.45.5 hectares together with adjoining vacant site of the M.R.S.Mazhavarayar Kalyana Mandapam comprised in S.No.328/2 and Old S.No.166/5 situated in Mariamman Koil Street, No.15, Kovilur Village, Kandavarkottai and Taluk, Pudukottai District and land and building measuring 6000 sq. ft. with ground and first floor located at Old T.S.No.3018/2, New T.S.No.31, Plot No.10, Rajaji Road, Srinivasapuram, Thanjavur Taluk and District by issuing No Objection Certificate in favour of the petitioner in respect of the aforesaid properties.

For Petitioner : Ms.S.Vijayalakshmi

ORDER

Learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition with liberty to approach the Debts Recovery Tribunal. The learned counsel for the petitioner has also made an endorsement to that effect.

2. In view of the above, the writ petition is allowed to be withdrawn with liberty as prayed. If the petitioner approaches the Debts Recovery Tribunal, the Debts Recovery Tribunal shall decide the matter in accordance with law.

3. The writ petition is, accordingly, dismissed as withdrawn. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Presiding Officer,
Debt Recovery Tribunal (DRT III),
Chennai.

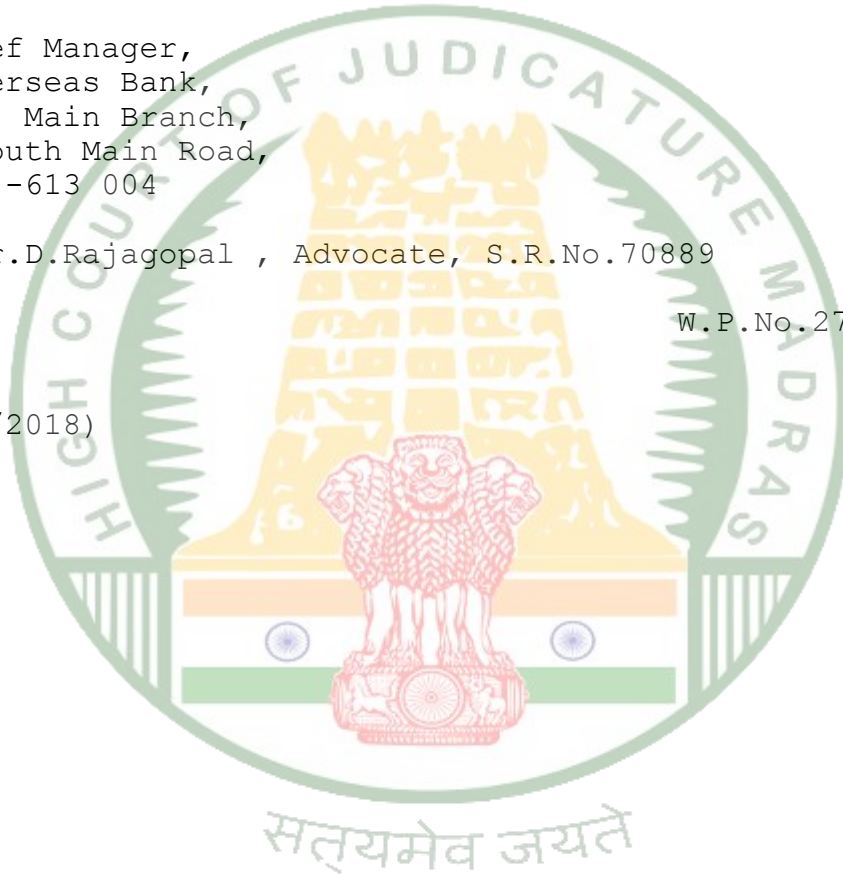
2.The Authorised Officer,
Indian Overseas Bank,
Thanjavur Main Branch,
T.S.No.1604, South Main Road,
Thanjavur-613 009.

3.The Chief Manager,
Indian Overseas Bank,
Thanjavur, Main Branch,
No.1604 South Main Road,
Thanjavur,-613 004

+1cc to Mr.D.Rajagopal , Advocate, S.R.No.70889

W.P.No.27101 of 2018

VBA(CO)
GSP(15/10/2018)



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