

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.27280 of 2018

ETA Engineering Private Limited,
having its Registered Office at
No.5, Moores Road,
Chennai-600 006
rep. by its CEO Afzal Hussain
rep. by its Directors
Abdul Cader Juniah Yaseen Mohammed
Khalid Buhari Abdul Kader,
Abdul Qadir. ... Petitioner

-vs-

The Jammu and Kashmir Bank Limited,
having its registered office at
M A Road,
Srinagar 190 001
and having its Regional Office at
Voltas International Centre,
52, Armenian Street,
Parrys, Chennai - 600 001. .. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the proceedings in the above matter and after examining the legality and propriety thereof be pleased to quash the order dated 24.04.2018 in Crl.M.P.No.4713 of 2018 passed by the Chief Metropolitan Magistrate under Section 14 of SARFAESI Act, 2002 and direct the respondent not to proceed with taking possession of the schedule property.

For Petitioner

: Mr.AR.L.Sundaresan
Senior Counsel
for Mr.R.Premkumar
for M/s.King and Partridge

ORDER

Learned Senior Counsel appearing for the petitioner sought permission of this Court to withdraw the writ petition and the learned counsel on record has made an endorsement to withdraw the writ petition with liberty to approach the Debts Recovery Tribunal, Chennai challenging the impugned order dated 24.04.2018 passed in Crl.M.P.No.4713 of 2018 on the file of the Chief Metropolitan Magistrate, Chennai.

2. In view of same, the writ petition is dismissed as withdrawn. It is open to the petitioner to challenge the impugned order dated 24.04.2018 passed in Crl.M.P.No.4713 of 2018 before the Debts Recovery Tribunal, Chennai in accordance with law. No costs. Consequently, W.M.P.No.31732 of 2018 is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Chief Metropolitan Magistrate,
Chennai

2.The Debts Recovery,
Tribunal, Chennai.

+2cc to M/s.King & Partridge, Advocate SR.NO.71246

KAN(CO)

sm:24.10.2018

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