

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.29135 of 2018
and W.M.P.No.34078 of 2018

M/s.Sri Devi Hospital,
rep. by its Sole Proprietor
Dr.K.Senthil Nathan,
No.1620A, 16th Main Road,
Anna Nagar, Chennai - 600 040. ... Petitioner

Vs.

1.Asset Reconstruction Company India Limited,
rep. by its Authorized Representative and Assistant,
Vice President Mr.Hrishikesh Panse,
The Ruby, 10th Floor,
No.29, Senapathi Bapat Marg,
Dadar (W), Mumbai - 400 028.

2.M/s.Aircil - SBPS-008-I Trust,
rep. by its Managing Trustee,
The Ruby, 10th Floor,
No.29, Senapathi Bapat Marg,
Dadar (W), Mumbai - 400 028.

3.Indian Overseas Bank,
Arumbakkam Branch,
Chennai - 600 106.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records relating to the 1st respondent vide its impugned sale notice in BGII/AK/FY19/1849 dated 01.10.2018 fixing auction of the property in the annexure-I of the notice on 13.11.2018 at 3.00 P.M. and to quash the same and forbearing the respondents from proceeding further pursuant to their notice dated 01.10.2018 either by conducting E-Auction or public Auction on 13.11.2018 at 3.00 P.M. or any other subsequent dates.

For Petitioner : Mr.S.Vaitheeswarai

O R D E R

The learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition and she has also made an endorsement to the said effect. The learned counsel for the petitioner also submitted that liberty may be given to the petitioner to approach the Debts Recovery Tribunal.

2. In view of the submission made by the learned counsel for the petitioner, the writ petition is dismissed as withdrawn. It is open to the petitioner to approach the Debts Recovery Tribunal in accordance with law. No costs. Consequently, W.M.P.No.34078 of 2018 is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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TO

1. Indian Overseas Bank,
Arumbakkam Branch,
Chennai - 600 106.

W.P.No.29135 of 2018

KAN (CO)
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