



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

W.P (MD) No.16701 of 2018

M.Xavier

... Petitioner

Vs.

1. The Banking Ombudsman
C/o Reserve Bank of India,
Tamilnadu Union Territory of Puducherry,
Fort Glacis, Chennai-1.

2. The Chief Manager,
Bank of Baroda,
2nd Floor Aparna Towers,
No.2 & 3 Bye Pass Road,
Ponmeni, Madurai-625 016.

3. The Branch Manager,
Bank of Baroda,
Kamayagoundanpatti Branch,
No.1/68A, Suruli Main Road,
Kamayagoundanpatti,
Theni District.

... Respondents

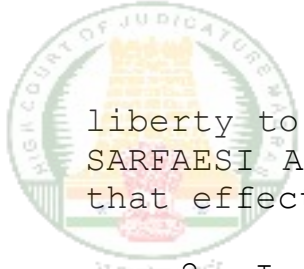
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to take necessary action on the basis of the petitioner's representation dated 18.06.2018 with regard to return the money, which the same was already paid by the petitioner as a part at initial stage of 'E' auction purchased dated 26.10.2017 within a time stipulated by this Court.

For Petitioner	: Mr.D.Anbarasu
For Respondents	: Mr.Pala Ramasamy for R.2 and R.3

ORDER

(Order of the Court was made by M.DURAI SWAMY, J.)

<https://hcservices.ecourts.gov.in/hcservices/>
The learned Counsel appearing for the petitioner sought permission of this Court to withdraw this writ petition with



liberty to move the Debt Recovery Tribunal under Section 17 of the SARFAESI Act and the learned Counsel also made an endorsement to that effect.

2. In view of the same, the Writ Petition is dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petition is also dismissed. It is open to the petitioner to approach the Debts Recovery Tribunal seeking for appropriate remedy in accordance with law.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

The Banking Ombudsman
C/o Reserve Bank of India,
Tamilnadu Union Territory of Puducherry,
Fort Glacis,
Chennai-1.

+ 1 CC TO Mr.D.ANBARASU, ADVOCATE IN SR No. 75729
+ 1 CC TO Mr.PALA RAMASAMY, ADVOCATE IN SR No. 76301

SSL
TE/RP/SAR-4 : 07/08/2018 : 2P/4C

W.P (MD) No.16701 of 2018
30.07.2018