

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

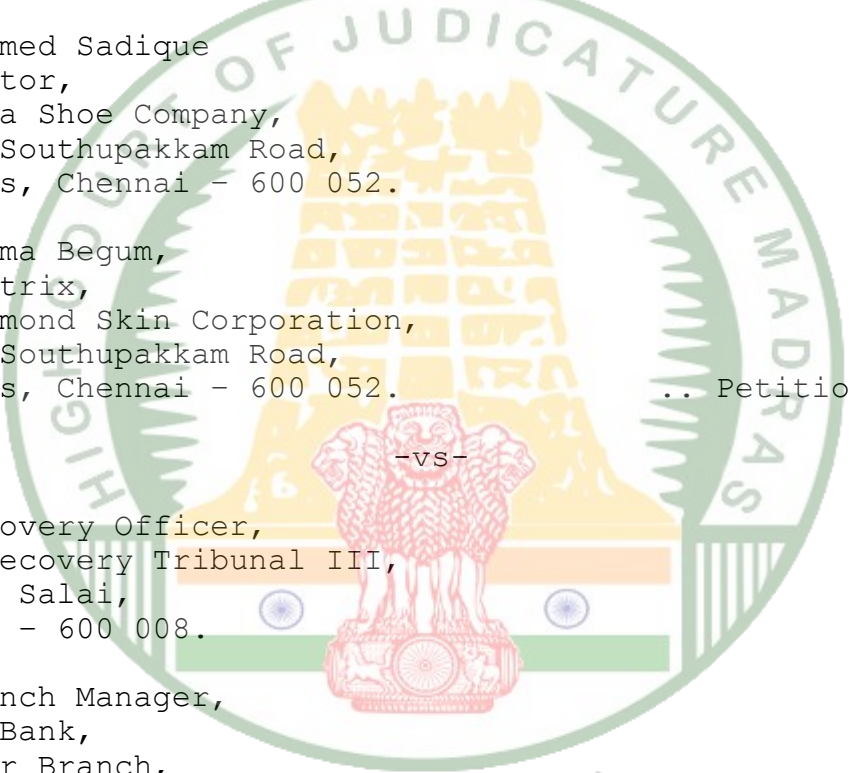
CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P.No.31706 of 2016

- 
1. S.Mohammed Sadique
Proprietor,
M/s.Data Shoe Company,
No.11, Southupakkam Road,
Redhills, Chennai - 600 052.
2. S.Fathima Begum,
Proprietrix,
M/s.Diamond Skin Corporation,
No.11, Southupakkam Road,
Redhills, Chennai - 600 052. ... Petitioners
- vs-
1. The Recovery Officer,
Debts Recovery Tribunal III,
Ethiraj Salai,
Chennai - 600 008.
2. The Branch Manager,
Indian Bank,
Kolathur Branch,
Chennai - 600 099. सत्यमेव जयते .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the 1st respondent relating to the E-auction sale notice in DRC No.169/2003 dated 3.8.2016 and quash the same and direct the 2nd respondent to accept the balance one time settlement from the petitioners on return of the original title deeds in respect of the property of an extent of 2.34 acres of land in Survey No.11/4, in Survey No.11/10, in Survey No.11/7, in Survey No.11/8, in Survey No.11/9 in Grantiline Village, Saidapet Taluk, Chengalpet District.

For Petitioner : Mr.AR.Karthik Lakshmanan for
M/s.AL.Gandhimathi
For Respondents : Mr.Jayesh B Dolia
for M/s.Aiyar and Dolia
for respondent No.2

Respondent No.1 - Tribunal

ORDER

The learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition. The learned counsel has also made an endorsement to the said effect. However, the learned counsel for the petitioner stated that as he is withdrawing the writ petition, he may be permitted to withdraw the amount lying in no lien account.

2. The learned counsel for respondent No.2 stated that as the petitioner is withdrawing the writ petition, there is no objection to the amount, which is deposited in no lien account being withdrawn by the petitioner. The statement made by the learned counsel for respondent No.2 is recorded.

3. In view of the above facts, the writ petition is allowed to be withdrawn.

4. The writ petition is dismissed as withdrawn. The petitioner is permitted to withdraw the amount lying in no lien account. No costs. Consequently, W.M.P.Nos.27517 and 31060 of 2016 are closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

bbr

Sub Assistant Registrar

To

1. The Recovery Officer,
Debts Recovery Tribunal III,
Ethiraj Salai,
Chennai - 600 008.

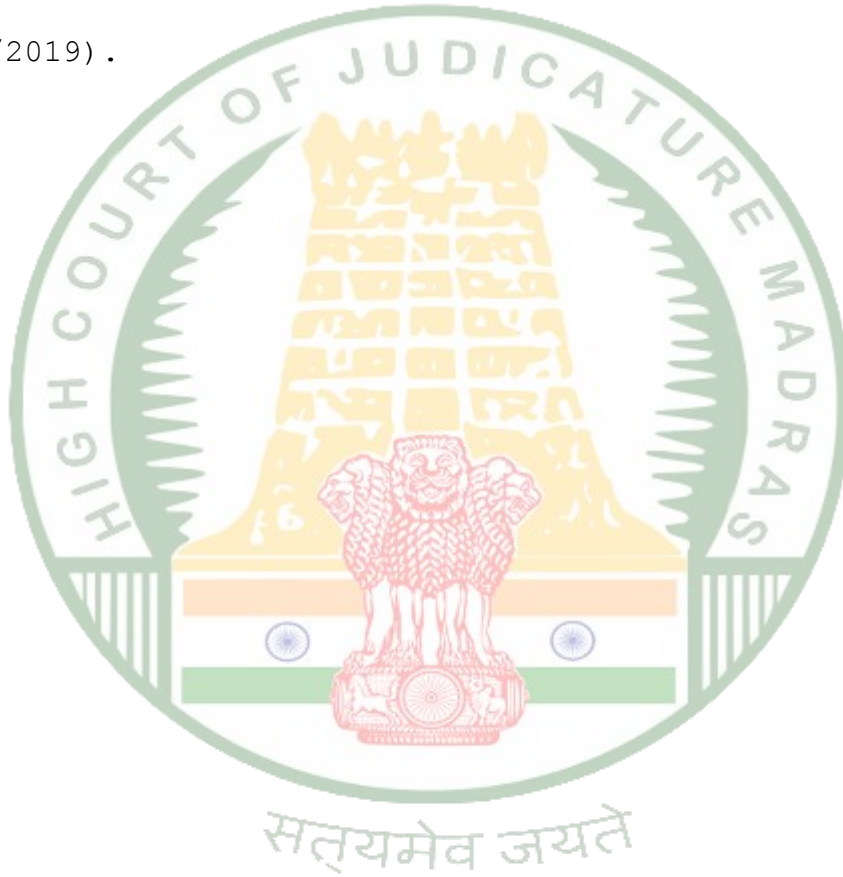
2. The Branch Manager,
Indian Bank,
Kolathur Branch,
Chennai - 600 099.

+1cc to M/s.AL.Gandhimathi, Advocate, S.R.No.20075

+1cc to M/s.Aiyar & Dolia, Advocate, S.R.No.19676

W.P.No.31706 of 2016

RGN(CO)
SSM(01/04/2019).



WEB COPY