

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI  
AND

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.23118 of 2019

and

W.M.P.No.22829 of 2019

Shanthi

..Petitioner

Versus

1. Punjab National Bank,  
No.774, Oppanakara Street,  
Coimbatore 641 001.  
rep. by its Assistant General Manager,  
(Authorised Officer) (Operation).

2. R.Rajendran

3. Mary Maragatham

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records of the 1st Respondent's possession notice dated 15.7.2019 issued under the Securitization and Re-construction of Financial Assets and Enforcement of Security Interest Act 2002 Act 54/2002 read with Rule 8 of the Security Interest Enforcement Rules 2002 quash the same and further direct the 1st respondent not to take any coercive steps in bringing the petitioner's property Door No.39/69, Sir Shanmugham Road, R.S.Puram, Coimbatore 641 002 for public auction.

For Petitioner : Mr.K.Balakrishnan

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

Learned counsel for the Petitioner submitted that in view of the subsequent petition in W.P.No.27544 of 2019 filed by the present Petitioner (Shanthi v. Punjab National bank and 2 others), which was directed against e-Auction notice dated 20.8.2019 issued under the provisions of the SARFAESI Act,

having been disposed of by this court on 17.9.2019, the present writ Petition against the possession notice dated 15.7.2019 is not required to be pressed on merits. He seeks leave of the court to withdraw the present Writ Petition and has made an endorsement to that effect.

2. The leave is granted. The Writ Petition is dismissed as withdrawn. No costs. The connected Miscellaneous Petition is also dismissed. Copy of this order may be sent to the Respondents forthwith.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

The Assistant General Manager,  
(Authorised Officer) (Operation).  
Punjab National Bank,  
No.774, Oppanakara Street,  
Coimbatore 641 001.

AKM/13.12.19/2P-2C /

W.P.No.23118 of 2019

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