



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

AND

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD) NO.7434 OF 2018

A.A.Tradersm
represented through its Proprietor,
Mr.R.Sathyadas
Son of Rassalam(Late)
H.No.19-154, Naragathinpottai,
Near CSI Church, Kangode,
Manalukalai, Edaicode Village,
Edaicode Post, Vilavancode Taluk,
Kanyakumari District - 629

:Petitioner

.vs.

- 1.The District Collector,
Nagerkovil,
Kanyakumari District.
- 2.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.
- 3.The Authorized Officer,
Vijaya Bank,
Marthandam Branch,
4/35/A17, Padmanabha Commercial Complex,
Opp. New Bus Stand,
Market Road,
Marthandam,
Kanyakumari District - 629 165.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to forbear from all further proceedings of the impugned Physical Possession Proceedings initiated by the first respondent under Section 14 of the SARFAESI Act, 2002 and of the impugned Possession Notice and Sale Notice dated 12.7.2017 and 5.11.2015 respectively issued under Section 13(4) and 8(6) of the SARFAESI Act, 2002, till the disposal of the Condone Delay Petition in I.A.SR.No.3404 of 2018 in S.A.S.R.No.3405 of 2018 pending before the Honourable Debt Recovery Tribunal, Madurai.



For Petitioner :Mr.V.Santhakumaresan
For Respondts :Mr.N.Shanmugaselvam
Additional Government Pleader for RR1 & 2
:No Appearance for R3

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O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU.,J.**]

The learned counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition, with liberty to agitate the matter before the Debt Recovery Tribunal.

2.Granting such liberty, the Writ Petition is dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

- 1.The District Collector,
Nagerkovil,
Kanyakumari District.
- 2.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

ORDER MADE IN
W.P(MD)NO.7434 OF 2018
11.06.2019

CS: (21/06/2019) 2P 3C