



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM
AND
THE HONOURABLE MRS. JUSTICE R. THARANI

Writ Petition (MD) No. 4133 of 2019

and

W.M.P. (MD) No. 3230 and 3231 of 2019

R. Susan

.. Petitioner

Vs.

1. The Authorised Officer,
Indian Overseas Bank,
Regional Office,
Plot No. 40, 80 Feet Road,
Arignar Anna Nagar,
Madurai District-20.

2. The Manager,
Indian Overseas Bank
Chokkikulam Branch,
Chokkikulam-02
Madurai District.

.. Respondents

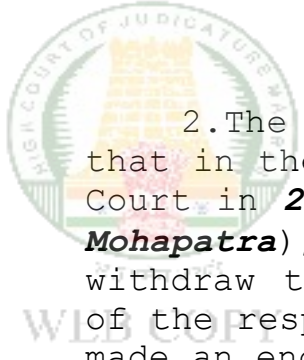
Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari calling for the records relating to the impugned sale Notification issued by the 1st respondent Indian Overseas Bank, dated 23/01/2019, quash the same and all proceedings in furtherance thereof in so far as the immovable properties of the petitioner is concerned.

For Petitioner	: Mr. M. J. Shabu Jose for M/s. Issac Chambers
For Respondents	: Mr. N. Dilip Kumar

ORDER

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

Heard Mr. Issac Mohanlal, learned Senior Counsel for the petitioner and Mr. N. Dilip Kumar, learned Standing Counsel appearing for the respondents.



2.The learned Senior Counsel for the petitioner would state that in the light of the recent judgment of the Honourable Supreme Court in **2018 SCC Online SC 2349 (ICICI Bank Limited vs. Umakanta Mohapatra)**, the petitioner seeks permission of this Court to withdraw this writ petition with liberty to challenge the action of the respondent before the Debt Recovery Tribunal. He has also made an endorsement to that effect.

3.Mr.N.Dilip Kumar, learned Standing Counsel appearing for the respondents would state that as per the undertaking, the writ petitioner has not deposited the amount. Hence, he seeks liberty to proceed further.

4.The writ petition is dismissed as withdrawn with liberty. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-54723[F] dated 18/03/2019)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-54886[F] dated 19/03/2019)

VS

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