



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

and

THE HONOURABLE MRS. JUSTICE R. THARANI

W.P (MD) Nos. 22096 and 22098 of 2019

and

W.M.P. (MD) Nos. 18876, 18878 and 18879 of 2019

Dharani .. Petitioner in W.P. (MD) No. 22096 of 2019

S. Gajendran .. Petitioner in W.P. (MD) No. 22098 of 2019

Vs.

1. The Authorized Officer / Chief Manager,
Indian Bank, Karaikudi,
Sivagangai District.

2. The Branch Manager,
Indian Bank, Karaikudi,
Sivagangai District.

3. M/s. Sri Kondaiya Modern Rice Mill,
Rep. by its proprietor Mr. M. Murugan,
No. 8-3-1A, Perumal Kovil Swargavasal Street,
Pallathur Town,
Sivagangai District.

4. M. Muthukumar .. Respondents in both cases

COMMON PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records relating to the impugned publication sale notice dated 03.10.2019 issued by the first respondent under Section Rule 6 (2) & 8(6) of the Security Interest (Enforcement Rules), 2002 under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (herein after referred to as the 'Act') and quash the same as illegal insofar as the properties belonging to the petitioner is concerned.

For Petitioner	: Mr. Jerin Mathew for Mr. M. E. Ilango
For R1 and R2	: Mr. Sridharan (in both cases)



COMMON ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Mr. Jerin Mathew, learned counsel appearing for the petitioners seeks permission of this Court to withdraw these writ petitions. He has also made an endorsement to the following effect:-

"I may be permitted to withdraw these writ petitions with the liberty to approach the DRT."

2. In the light of the endorsement, these writ petitions are dismissed as withdrawn with liberty to the petitioners to approach the Debt Recovery Tribunal. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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TO

1. The Authorized Officer / Chief Manager,
Indian Bank, Karaikudi,
Sivagangai District.

2. The Branch Manager,
Indian Bank, Karaikudi,
Sivagangai District.

3. The Section Officer, E.R. Section,
Madurai Bench of Madras High Court, Madurai.

(return the impugned notices to the learned counsel for the petitioner.)

+2CC TO MR.M.ELANGO, Advocate Sr. No. 93034 & 93031

W.P(MD) Nos. 22096 and 22098 of 2019
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VS (CO)

TR(18.10.2019) 2P 6C