

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.Nos.259 and 265 of 2020
and W.M.P.Nos.307, 310 and 312 of 2020

Andhra Bank
Anna Nagar Branch,
rep.by its Chief Manager,
JA-995-A/New No.170, 2nd Avenue,
Anna Nagar, Chennai 600 040. .. Petitioner

Versus

1.Union Bank of India
rep.by its Chief Manager,
No.12/13, Riaz Garden,
Kodambakkam High Road,
Nungambakkam, Chennai 600 034.

1/6

2.M/s.Deen Dayal Medical and Educational Trust,
No.5110, H-Block, 1st Street, 12th main road,
Anna Nagar, Chennai 600040.

3.Mr.T.D.Naidu

Chairman and Managing Trustee,
M/s.Deen Dayal Medical and Educational Trust,
No.5110, H-Block, 1st Street, 12th main road,
Anna Nagar, Chennai 600040.

4.Mrs.T.D.Prabavathi

5.Ms.T.D.Sonia

6.The Registrar,

Debts Recovery Appellate Tribunal,
Chennai.

.. Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records of the impugned order dated 27.11.2019 passed in RA.Nos.51 & 144 of 2019 on the file of the 6th respondent and quash the same and consequentially allow the appeal filed by the petitioner to set aside the impugned order dated 03.09.2018 passed in O.A.No.151 of 2015, on the file of Debts Recovery Tribunal-II, Chennai.

For Petitioner : Mr.P.Elayarajakumar

for M/s.Ramalingam and Associates

For Respondents : Mr.Srinath Sridevan for R1

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The learned counsel appearing for the petitioner has filed a common Memo dated 13.10.2020, vide USR No.19537 of 2020 dated 29.10.2020.

2. The learned counsel appearing for the petitioner would submit that in the light of the said common Memo with Annexures, this Court may be pleased to permit the petitioner to withdraw these Writ Petitions with a consequential direction, directing the Registry to close the TDR No.T18/MTDAD 0487845, in the name of the Registrar General and issue necessary orders for payment of Rs.2.50 crores with accrued interest in favour of Union Bank of India, SAM Branch, Chennai.

3. This Court heard the submission of Mr.Srinath Sridevan, learned standing counsel appearing for the 1st respondent and he has no serious objections in ordering the common Memo, but his only request is that the payment shall be made at the earliest point of time.

4. This Court heard the submission of the learned counsel appearing for the parties.

5. The common Memo dated 13.10.2020, filed on behalf of the petitioner vide USR No.19537 of 2020 dated 29.10.2020, is taken on file and recorded and it shall also form part of the record.

6. In the light of the same, these Writ Petitions are dismissed as withdrawn, with a consequential direction, directing the Registrar General of this Court to close TDR No.T18/MTDAD 0487845 and make necessary payment of Rs.2.50 crores by means of Pay Order with accrued interest in favour of Union Bank of India, SAM Branch, Chennai. No costs. Consequently connected miscellaneous petitions are closed.

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Internet : Yes/No
Index : Yes/No

[M.S.N.,J] [R.H., J]
09.11.2020

To
The Registrar,
Debts Recovery Appellate Tribunal,
Chennai.

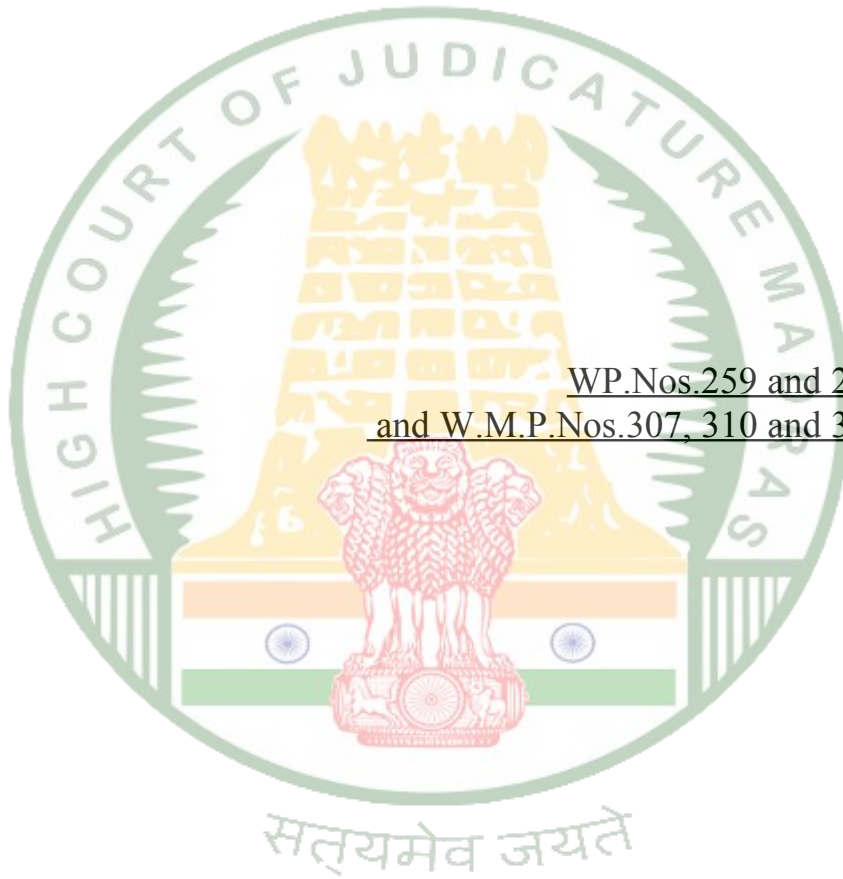
Copy to:

The Registrar General,
Madras High Court.



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M.SATHYANARAYANAN, J.,
AND
R.HEMALATHA.,J
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