

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 28679 of 2017
and W.M.P.Nos.30858, 30859, 34103 and 34445 of 2017

M/s.Summer India Weaving and
Processing Mills Limited
rep. by its General Manager
S.S.Prabhakaran ...Petitioner

Vs

1.M/s.State Bank of India,
Stressed Assets Management Branch,
Raja Plaza, First Floor,
No.1112, Avinashi Road,
Coimbatore - 641 037.

2.C.V.Madhusudhanan

3.The National Company Law Tribunal
through its Deputy Registrar,
Corporate Bhawan, Rajaji Salai,
Chennai - 1.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records relating to impugned order dated 27.10.2017 in CP/588/IB/CB/2017 passed by the third respondent and quash the same.

For Petitioner ... Mr.P.J.Rishikesh

For Respondents .. Mr.Om Prakash,
Sr. Counsel
for M/s.Ramalingam and
Associates for R1
Mr.S.Sethuraman for R2
R3 - Tribunal

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

When the matter is taken up for hearing, learned counsel appearing for the petitioner submitted that a memo has been filed before the Registry seeking permission to withdraw the writ petition. He further submitted that the petitioner may be given liberty to approach the Appellate Tribunal.

2. Inasmuch the petitioner seeks withdrawal with liberty to agitate the same before the National Company Law Appellate Tribunal and taking note of the pendency of the writ petition, we are inclined to permit the petitioner to withdraw the writ petition with liberty to challenge it before the National Company Law Appellate Tribunal.

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 The writ petition is dismissed as withdrawn with the aforesaid liberty.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

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

mmi/ssm

To

1. M/s. State Bank of India,
Stressed Assets Management Branch,
Raja Plaza, First Floor,
No. 1112, Avinashi Road,
Coimbatore - 641 037.

2. The Deputy Registrar,
National Company Law Tribunal,
Corporate Bhawan, Rajaji Salai,
Chennai - 1.

+1cc to Mr. M/s. Ramalingam and Associates, Advocate SR.No.24955

+1cc to Mr. P.J. Rishikesh, Advocate SR.No.25021

W.P.No.28679 of 2017

SS (CO)
GMY (03/08/2020)