



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

**C.R.P. (PD) (MD) No.196 of 2020
and
C.M.P. (MD) No.1165 of 2020**

1.Asha Dayana T.R.

2.K.G.Udhayakumar ... Petitioners/Petitioners/Applicants

-vs-

1.The Authorized Officer
for The Tamilnad Mercantile Bank
Padanthalumoodu Branch
Trivandrum Main Road
Kaliakkavilai
Kanyakumari District

2.The Branch Manager
Tamilnad Mercantile Bank
Padanthalumoodu Branch
Door No.19/92
Thiruvananthapuram Main Road
Padanthalumoodu
Kanyakumari District-629 160 ... Respondents/
Respondents/Defendants

PRAYER: Civil revision petition is filed, under Article 227 of the Constitution of India, to set aside the order, dated 14.01.2020, passed in I.A.No.38 of 2020 in S.A.No.9 of 2020, passed by the Debt Recovery Tribunal, Madurai.



For Petitioners : Mr.S.C.Herold Singh
For Respondents : Mr.N.Dilip Kumar

WEB COPY

O R D E R

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

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw the civil revision petition with liberty to the petitioner to file an appeal under Section 18 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, "the SARFAESI Act"), before the Debts Recovery Appellate Tribunal, Chennai, as against the impugned order, dated 14.01.2020, passed in I.A.No.38 of 2020 in S.A.No.9 of 2020, by the Debts Recovery Tribunal, Madurai. The learned counsel appearing for the petitioner has also made an endorsement to that effect.

2. In view of the same, the civil revision petition is dismissed as withdrawn. It is open to the petitioner to challenge the impugned order, dated 14.01.2020, passed in I.A.No.38 of 2020 in S.A.No.9 of 2020, by the Debts Recovery Tribunal, Madurai, before the Debts Recovery Appellate Tribunal, Chennai, under Section 18 of the SARFAESI Act. The respondents are directed to maintain *status quo* for a period of nine days i.e. till 14.02.2020 enabling the petitioner to file appeal before the Debts Recovery Appellate Tribunal, Chennai, as against the order impugned in this civil revision petition. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

krk

To:
The Presiding Officer,
Debts Recovery Tribunal,
Madurai.



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

(Return the original papers to the
petitioner forthwith, after retaining a
photocopy of the same in the bundle.)

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-4816[F] dated
05/02/2020)

C.R.P. (PD) (MD) No.196 of 2020

and

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VR(CO)

TR(05.02.2020) 3P 4C