

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.2776 of 2021  
and W.M.P.No.3133 of 2021

Gugan Paper Mills Pvt. Ltd.  
Rep. by its Director, Mr.R.Sathyanarayanan,  
S.F.No.2/4, Ayyampalayam Village,  
Palani Taluk, Dindigul District 624 617. ... Petitioner

-vs-

1. Central Bank of India  
Rep. by its Authorized Officer,  
No.14/15, Variety Hall Road,  
Coimbatore 641 001.
2. IDBI Bank,  
Rep. by its Authorized Officer,  
NMG, 2<sup>nd</sup> Floor, Saidapet,  
115, Anna Salai, Post Bag No.805,  
Chennai 600 015.
3. CFM Asset Reconstruction Pvt. Ltd.,  
Rep. by its Authorised Officer,  
1<sup>st</sup> Floor, Wakefield House,  
Sprott Road, Ballard Estate,  
Mumbai-400 038.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records of the 1<sup>st</sup> respondent bank in Notice issued under Section 13 (2) of the SARFAESI Act CBE/RECV:2015-16/65 dated 04.02.2016 and notice issued under Section 13 (4) of the SARFAESI Act dated 11.05.2016 issued by the 1<sup>st</sup> respondent bank and quash the same as illegal since the same suffers from Jurisdictional infirmities and Consequently declare all Sale Auctions dated 08.11.2016 and 05.10.2020 that took place pursuant to the above said notices as Null and Void and non est in law and

consequently direct the 1<sup>st</sup> respondent bank to put the petitioner to possession of the said properties.

For Petitioner : Ms.P.Elakkiya

ORDER  
(Made by The Hon'ble Chief Justice)

Since the petitioner does not press the writ petition and seeks leave to withdraw the same, the writ petition is permitted to be withdrawn.

W.P.No.2776 of 2021 is dismissed as withdrawn. There will be no order as to costs. Consequently, W.M.P.No.3133 of 2021 is closed.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To

- 1.The Authorized Officer,  
Central Bank of India  
No.14/15, Variety Hall Road,  
Coimbatore 641 001.
- 2.The Authorized Officer,  
IDBI Bank,  
NMG, 2<sup>nd</sup> Floor, Saidapet,  
115, Anna Salai, Post Bag No.805,  
Chennai 600 015.

+1cc to Mr.P.J.Rishikesh, Advocate SR.NO.7455

AKM/23.02.21/ 2P-4C/

सत्यमेव जयते

W.P.No.2776 of 2021  
10.02.2021

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