

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 19.05.2021

CORAM :

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. No.11989 of 2021 and
W.M.P. No.12757 of 2021

D.Muruganandham

... Petitioner

versus

1.The District Collector/
District Magistrate,
O/o.Collectorate, Coimbatore-641 018.

2.The Authorized Officer,
M/s.Edelweiss Housing Finance,
41-A, 2nd Floor,
West Lokamanya Street,
R.S.Puram, Coimbatore-641 002.

3.K.Poonkodi

4.The Superintendent of Police,
Coimbatore Rural District Police Office,
Coimbatore-641 018.

5.The Tahsildar,
Coimbatore North Taluk Office,
Dr.Balasundaram Road,
Coimbatore-641 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorari and to call for the records relating to the proceedings in Ref.No.21121/2016/E3 dated 16.05.2018 from the file of first respondent and to quash the same as illegal, unlawful and against the principles of natural justice.

For petitioner : Mr.Krishnamurthy
for Mr.R.Pandiyan

ORDER

(Order of this Court was made by Dr.ANITA SUMANTH,J.)

Learned counsel for the petitioner, under cover of e-mail dated 19.05.2021, seeks liberty to withdraw the writ petition. Acceding to the request, the writ petition is dismissed as withdrawn. He also seeks liberty to move the Debts Recovery Tribunal and such liberty to approach the tribunal in terms of Section 17(1) of the SARFAESI Act, is granted.

2. If an appeal as aforesaid is filed within a period of four weeks from today, the same shall be taken on file by the Registry of the Debts Recovery Tribunal, without reference to the limitation and heard and disposed in accordance with law, as expeditiously as possible. No Costs. Consequently, W.M.P. No.12757 of 2021 stands closed. No costs.

Sd/-

Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

ars/gya

To

- 1.The District Collector/
District Magistrate,
O/o.Collectorate,
Coimbatore-641 018.
- 2.The Superintendent of Police,
Coimbatore Rural District Police Office,
Coimbatore-641 018.
- 3.The Tahsildar,
Coimbatore North Taluk Office,
Dr.Balasundaram Road,
Coimbatore-641 018.
- 4.The Debts Recovery Tribunal,
Coimbatore.

+1cc to the Government Pleader, S.R.No.27266

W.P. No.11989 of 2011 and
W.M.P. No.12757 of 2021

VBM(CO)
CB(21/05/2021)