



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

W.P.No.24338 of 2021

P.R.Annamalai

.. Petitioner

Vs

The Authorised Officer
Indian Bank
Erukkancherry Branch
Chennai - 600 118.

.. Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to declare that Section 5A of the statute of the Sarfaesi Act was repealed on 11.11.2004 and it applies only to rights accrued or liabilities incurred for OA's filed before 11.11.2004; and to declare that DRC No.21 of 2018 issued in O.A.No.48 of 2009 filed after 11.11.2004 in the case of "simultaneous proceedings" cannot be enforced after that date and is an illegality and not just an irregularity.

For the Petitioner : Mr.B.Gurumurthy

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Learned counsel for the petitioner prays for withdrawal of the writ petition with liberty to pursue the issue before the Debts Recovery Tribunal.



2. In view of the above, the writ petition is dismissed as withdrawn with liberty as prayed for. There will be no order as to costs.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sasi

To:

The Authorised Officer
Indian Bank
Erukkancherry Branch
Chennai - 600 118.

W.P.No.24338 of 2021

JP-II(CO)
CT 03/12/2021