



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU
W.P.No.25814 of 2021

M.Suresh

..Petitioner

vs

The Regional Manager, Indian
Overseas Bank, Regional Office,
IOB Towers, No.12/1, APT Road,
Erode-3.

..Respondent

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to refund the amount of Rs.12,10,000/- (Rupees twelve lakh ten thousand) with interest at 12% per annum that was paid towards the auction sale in respect of the action held on 21.1.2020 as requested in the petitioner's representation dated 21.10.2020.

For Petitioner : Mr.V.Janarthanan

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 approach the Debts Recovery Tribunal concerned under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in view of the judgment of the Supreme Court in the case of Agarwal Tracom (P) Ltd. Vs. Punjab National Bank & Others [2018 (1) SCC 626].



2. As prayed, the writ petition is dismissed as withdrawn with liberty, as prayed for.

WEB COPY

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

To:

The Regional Manager, Indian
Overseas Bank, Regional Office,
IOB Towers, No.12/1, APT Road,
Erode-3.

W.P.No.25814 of 2021

KSM(CO)
SP(14/12/2021)