



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.08.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

W.P (MD)NO.6377 OF 2021

and

W.M.P (MD)Nos.4981 and 4978 of 2021

1.S.Marimuthu,

2.M.Muthumari

3.S.Mariammal

4.G.Subramanian

5.Backialakshmi

6.Thangamuthumari :Petitioners

.vs.

1.The Authorized Officer,
M/s.REPCO Home Finance Limited,
(Promoted by REPCO Bank-Govt of India Enterprise),
Repco Towers, 33, North Usman Road,
T.Nagar, Chennai-600 017.

2.The Branch Manager
M/s.REPCO Home Finance Limited,
(Promoted by REPCO Bank-Govt of India Enterprise),
Virudhunagar Branch,
No.103/1, First Floor (Upstairs Bank of India),
Madurai Road,
Virudhunagar - 626 001. :Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records on the file of the first respondent proceedings in Possession Notice dated 12.2.2020 under Section 13(4) and Order, dated 22.01.2021 made in Crl.M.P.No.18 of 2020, on the file of the learned Chief Judicial Magistrate, Virudhunagar District at Srivilliputhur under Section 14 of the SARFAESI Act, 2002 and to



quash the same as illegal, incompetent, unconstitutional and without jurisdiction.

For Petitioners

: Mr.C.Prithiviraj

For Respondents

: Mr.Pala. Ramasamy

WEB COPY

O R D E R

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

Mr.C.Prithiviraj, learned counsel appearing for the Petitioners seek permission of this Court to withdraw this Writ Petition, with liberty to move the Debts Recovery Tribunal.

2.In view of the submission made by the learned counsel appearing for the Petitioners, this Writ Petition is dismissed as withdrawn. However, it is open to the Petitioners to challenge the impugned orders before the Debts Recovery Tribunal, in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

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