



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.15108 of 2021

and

W.M.P(MD)Nos.12037 and 12038 of 2021

S.L. Ani Jasmine
Proprietor of VA ply wood
and Glass Hardware.

... Petitioner

Vs.

The Chief Manager/Authorised Officer,
Indian Overseas Bank,
Melpuram Branch, 3/1M-3, Elzadai Towers,
1st Floor Naduthalai Veettuvilai
Melpuram-629 168, Pacode Post,
Kandyakumari District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in connection with impugned sale notice of the respondent dated 27.07.2021 and quash the same and direct the respondent to submit correct statement of account to which the petitioner may be granted 6 months time to clear the dues.

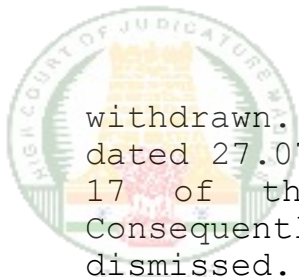
For Petitioner	:	Mr.S.Titus
For Respondent	:	Mr.N.Dilip Kumar

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The learned Counsel appearing for the petitioner seeks permission to withdraw the writ petition with liberty to file an appeal, challenging the sale notice, dated 27.07.2021 before the Debts Recovery Tribunal under Section 17 of the SARFAESI Act.

2. In view of the submission made by the learned Counsel appearing for the petitioner, the Writ Petition is dismissed as



withdrawn. It is open to the petitioner to challenge the sale notice dated 27.07.2021, before the Debts Recovery Tribunal, under Section 17 of the SARFAESI Act in accordance with law. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

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Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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.

+1 CC to MR.S.TITUS, Advocate (SR-27226[F] dated 25/08/2021)

+1 CC to MR.N.DILIPKUMAR, Advocate (SR-27453[F] dated 26/08/2021)

W.P (MD) No.15108 of 2021
25.08.2021

MGJ(26.08.2021) 2P 3C