



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.2607 of 2022

M/s Mary Fashion Impex
Rep by its partner Shri. R.Krishnamurthy
S/o Ramasamy Gounder
Shed No.88, TEA Nagar
Mudalipalayam, SIDCO
Tirupur 641 606.

... Petitioner

Vs.

1. The Authorised Officer
Tamil Nadu Mercantile Bank Ltd.
Dr.Nanjappa Road Branch
Opp. to V.O.C.Park
Coimbatore 641 018.

2. The Chief Manager
Tamil Nadu Mercantile Bank Ltd.
Dr.Nanjappa Road Branch
Opp. to V.O.C.Park
Coimbatore 641 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus forbearing the respondents from confirming the sale of the properties mentioned in the auction sale notice dated 20.01.2022 of the 1st respondent in the light of the order of this Hon'ble Court in C.R.P.(PD) No.4282 of 2020 dated 13.02.2020 pending disposal of S.A.No.521 of 2019 and S.A.No.605 of 2019 on the file of the Debts Recovery Tribunal, Coimbatore.

For the Petitioner : Mr.R.Selvakumar



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

Learned counsel for the petitioner prays for withdrawal of the writ petition with liberty to approach the Debts Recovery Tribunal to seek amendment in the pending appeal by challenging the auction notice given now.

2. As prayed, the writ petition is dismissed as withdrawn with liberty aforesaid. There will be no order as to costs. Consequently, WMP No.2753 of 2022 is also dismissed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

kpl/drm
To:

1. The Authorised Officer,
Tamil Nadu Mercantile Bank Ltd.
Dr.Nanjappa Road Branch,
Opp. to V.O.C.Park,
Coimbatore 641 018.
2. The Chief Manager,
Tamil Nadu Mercantile Bank Ltd.
Dr.Nanjappa Road Branch,
Opp. to V.O.C.Park,
Coimbatore 641 018.
3. The Debts Recovery Tribunal,
Coimbatore.

+lcc to Mr.R.Selvakumar, Advocate Sr.24478

W.P.No.2607 of 2022

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srg 25/04/2022