



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P (MD)No.3026 of 2022

and

W.M.P (MD)Nos.2644 and 2646 of 2022

M.Mohamed Nazer

... Petitioner

Vs.

1.The Chief Judicial Magistrate,
Tirunelveli District Court Complex,Tirunelveli.

2.The Authorized Officer,
M/s.Axis Bank Ltd.,
Loan Centre,
4th Floor, Arcot Plaza,
Old No.38, New No.165,
Arcot Road, Kodambakkam,Chennai - 600 024.

3.P.T.Srinivasan

4.N.Jeyalakshmi

5.The Sub Registrar,
Melapalayam Sub-Registrar Office,
Palayamkottai Registration District,
Tirunelveli District.
[Fifth respondent is suo motu impleaded
vide order dated 28.02.2022]

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent in its order in Cr.MP.No.8783 of 2021 dated 15.12.2021 and set-aside the same as beyond its jurisdiction and consequently direct the 2nd respondent to release the security documents in favour of the petitioner on receipt of the entire due amount and pass such further or other orders.

For Petitioner : Mr.M.Varun Pandian

For Respondent No.2 : Mr.P.Pethurajesh

For Respondents 3 and 4 : No appearance

For Respondent No.5 : Mr.K.Balasubramanian
Special Government Pleader.



ORDER

[Made by PARESH UPADHYAY, J.]

On behalf of the bank, an affidavit is tendered today which indicates that, not only the default amount is paid, the loan account itself is settled by the borrower. In view of this, no further order needs to be passed.

2. Learned advocate for the petitioner seeks permission to withdraw this petition. Permission as prayed for, is granted. Accordingly, this writ petition is disposed of as withdrawn. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

smn

To

1.The Chief Judicial Magistrate,Tirunelveli.

2.The Sub Registrar,
Melapalayam Sub-Registrar Office,
Palayamkottai Registration District,
Tirunelveli District.

+1 CC to M/s.P.PETHURAJESH,Advocate (SR-11794[F] dated 14/03/2022)

+1 CC to M/s.SPL GP (SR-12136[F] dated 15/03/2022)

W.P(MD)No.3026 of 2022
14.03.2022

MGJ(23.03.2022) 2P 5C