



WEB COPY

W.P(MD)No.21931 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No. 21931 of 2021

and WMP(MD) Nos.18498 & 18502 of 2021

M/s.Milan Textiles Enterprise Pvt. Ltd.,
Rep. by its Managing Director,
Lalji G.Vora.
No.12-13-14, Amman Sannathi,
Madurai,
Madurai District - 625 001.

... Petitioner

Vs

1.The City Union Bank Limited,
Through its Branch Manager,
Office at 24-B, Gandhi Nagar,
Kumbakonam - 612001.
Branch's Office,
S.S.Colony Branch, Madurai
Door No.1, Kannadhasan Main Street,
S.S.Colony, Madurai,
Madurai District - 625016.

2. M/s.Milan Shoppe,
Rep. by its Partner,
D/No.196, Bye pass road,
Madurai District - 625010.

3. Roopam rep by its partner,

4. Amar L.Vora

5. Amit P.Dehdhia

6. Anusha Rethod

7. Rajen B.Chheda

8. Ramesh C.Ganger

9. Narendra L.Gada

10.L.Sarala Vora

11.C.R.Shah

12.Shobana Rathod

13.Kavitha R.Chheda

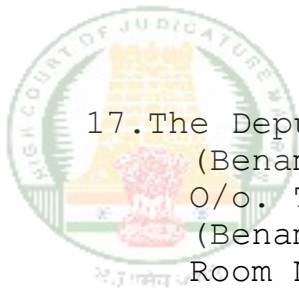
14.Mira Vora

15.Shyam Rathod

16.M.Mart

A unit of M/s.Milan Textiles Enterprise Pvt. Ltd.,
Milan Em Mall, 100 Feet Road, K.K.Nagar,
Madurai - 625020.

<https://hcservices.ecourts.gov.in/hcservices/>



17.The Deputy Commissioner of Income Tax,
(Benami Prohibition) / The Initiating Officer,
O/o. The Deputy Commissioner of Income Tax
(Benami Prohibition),
Room No.104, I Floor,
Income Tax Investigation Wing Building,
46, M.g.Road, Nungambakkam,
Chennai - 600 034.

18. Mrs.N.Sasikala.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order in C.R.M.P.No.299 of 2021 dated 22.10.2021 on the file of the Chief Judicial Magistrate, Madurai and quash the same as illegal and consequently directing the respondent No.1 to permit the petitioner to sell the property of petitioner's company situated in Town Survey Nos.80,81,82,83,84 & 85 of Managiri Bit-I Village, K.K.Nagar, Madurai North Taluk, located at 100 feet road measuring to an extent of 24,596.25 Sq.ft. or 56.47 cents and building constructed thereon through private negotiation to settle the loan outstanding amount due to the first respondent within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.Pala Ramasamy
Standing Counsel for R1
Mrs.M.Sheela,
Senior Panel Counsel for Income
Tax Department
for R17

ORDER

[Made by R.VIJAYAKUMAR, J.]

Learned counsel for the petitioner submits that he is not pressing the Writ Petition and he also made an endorsement to that effect. Recording the same, the Writ Petition is dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar (Cs-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



sj/31

To

1. The Chief Judicial Magistrate,
Madurai.

2. The Deputy Commissioner of Income Tax,
(Benami Prohibition) / The Initiating Officer,
O/o. The Deputy Commissioner of Income Tax
(Benami Prohibition),
Room No.104, I Floor,
Income Tax Investigation Wing Building,
46, M.g.Road, Nungambakkam,
Chennai - 600 034.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-18029[F] dated
12/04/2022)

W.P (MD) No.21931 of 2021
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NSN(CO)
KB(20.04.2022) 3P 4C