



W.P.No.26436 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.26436 of 2007 &
M.P.No.1 of 2007 & M.P.No.1 of 2010

State Bank of India
Udumalpet Branch
Coimbatore District

... Petitioner

Vs

- 1.District Collector
Office of the District Collector,
Coimbatore District.
- 2.Tahsildar
Kutchery Street,
Udumalpet – 642 126
- 3.M/s.Balamurugan Spinners (P) Ltd.,
Thanthoni Village,
Thugari Post, Dharamapuri Road, Udumalpet.
- 4.The Tamil Nadu Industrial Investment
Corporation Ltd.,
Rep., by its General Manager,
No.692 Anna Salai, Nandanam,
Chennai - 35.
- 5.National Textile Worker Union,
Rep., by its President G.Srinivasan,

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No.1848, Trichy Road, Ramanathapuram,
Coimbatore – 641 045. ... Respondents

R3 to R5 impleaded as per order dated 11.06.2009 by KVJ in
M.P.No.2, 1 & 3 of 2007 in W.P.No.26436 of 2007

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent in Na.Ka.No.10355 of 2006 A2, dated 31.07.2007 in connection with auction notice fixing the auction on 08.08.2007 in relation to properties situated in S.No.224/1 of extent 2.74.5 hectares in Thandoni village and S.No.226/2 of extent 0.63.0 S.No.226/1 of extent of 0.34.0 S.No.225/3, 1.33.0 and S.No.226/2 1.43.5 totally 6.48.0 hectare and to quash the same and consequently to direct the respondent to forbear from proceedings with the auction of the property except in accordance with the statutory provisions of I.D.Act., and to pass such further order.

For Petitioner : Mr.C.Mohan for
M/s.King and Partridge

For Respondent : Mr.S.Ravichandran AGP for RR1&2
Mr.K.V.Sundararajan for R4
Mr.A.Sivaji for R5
R3- Not Ready in notice

ORDER

The learned counsel appearing for the petitioner seeks permission

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of this Court to withdraw the Writ Petition and has also made an endorsement in the Court bundle. The said endorsement reads as follows:-

“The Writ was filed pertaining to Balamurugan Spinners (P) Ltd., and their dues to the petitioner Bank and BMT Mills Pvt., Ltd., during pendency of this W.P., the loans have been settled. This is confirmed by the mail from SBI to counsel dated 16.10.2023. This mail dated 16.10.2023 and final settlement letter dated 14.08.2023 as received by the counsel is given this Hon'ble Court to be treated as part and parcel of Court record in this W.P. As instructed by the Writ Petitioner vide mail dated 16.10.2023, copy enclosed, this Writ Petitioner may be permitted to withdraw this W.P., by recording the above and the mail dated 16.10.2023 and letter dated 14.08.2023”.

2. Recording the same, this Writ Petition is dismissed as withdrawn. However, there shall be no orders as to costs. Consequently connected Miscellaneous Petitions are closed.

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Index : Yes/No
Speaking order : Yes/No
Neutral Citations : Yes/No



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K.KUMARESH BABU,J.

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To

- 1.District Collector
Office of the District Collector,
Coimbatore District.
- 2.Tahsildar
Kutchery Street,
Udumalpet – 642 126

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