



W.P.No.34301 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34301 of 2023

M/s.Harish Builders
Rep. by its Proprietor
A.S.Venkateswaran, S/o.A.Sundararaj
No.25, Ist Main Street
Ganesh Nagar, Madipakkam
Chennai – 600 009.

.. Petitioner

Vs.

1. M/s.Cholamandalam Investments
& finance Company Ltd. (CIFCL)
Regd. Office: Dare House
No.2, NSC Bose Road
Parryss, Chennai 600 001.

2. Babu Ganesh

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the first respondent to accept the settlement of dues of the second respondent in loan account No.HLOIKLB000044351 by the petitioner after negotiation and re-convey the land of 640 Sq.ft of undivided share the land situated in Plot No.1965, MIG Type, Avadi, Chennai 600 054 comprised in S.No.713/1B1 Part, Paruthipattu Village, Thiruvallur District in favour of the petitioner by virtue of the power under SARFAESI Act.



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For the Petitioner : Dr.S.S.Swaminathan

ORDER

(Made by the Hon'ble Chief Justice)

Heard Dr.S.S.Swaminathan, learned counsel for the petitioner.

2. Learned counsel for the petitioner, on instructions, seeks leave to withdraw the writ petition with liberty to avail the alternate remedy available, as may be permissible under law.

3. In light of the above, the writ petition stands disposed of as withdrawn. The petitioner may avail the alternate remedy, as may be permissible under law. In that event all contentions of the respective parties are open. There will be no order as to costs. Consequently, W.M.P.No.34192 of 2023 is closed.

(S.V.G., C.J.)

(D.B.C., J.)

13.12.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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(drm)

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