



W.P.No.35846 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.35846 of 2023

Afifa Mujiba

.. Petitioner

Vs.

1. The Registrar
Debt Recovery Appellate Tribunal
Chennai.

2. Federal Bank Limited
No.3, Church Street
2nd Floor, MSR West Park
Bangalore, Karnataka – 560 001
Rep. by its Authorized Officer.

3. Khasim Ajaz Ahmed Quersi
S/o. Khasim Janab Quersh
No.2C, Cockborn Road
Pulikesi Nagar, Bangalore
Karnataka – 560 057.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, forbearing the second respondent from handing over possession to the auction purchaser without following



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the due process of law when the second respondent is quorum non judice.

For the Petitioner : Ms.Ananda Gomathy Murugesan

ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.Ananda Gomathy Murugesan, learned counsel for the petitioner.

2. Learned counsel for the petitioner, on instructions, seeks leave to withdraw the writ petition with liberty to file the same before the High Court of Karnataka.

3. The writ petition, accordingly, stands disposed of as withdrawn with liberty as aforesaid. The petitioner may file a petition before the appropriate forum. In that event all contentions of the parties are kept open. There will be no orders as to costs. Consequently, W.M.P.No.35834 of 2023 is closed.

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

(D.B.C., J.)

21.12.2023

Index : Yes/No
Neutral Citation : Yes/No



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To

1. The Registrar
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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