



W.P(MD)No.1471 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.1471 of 2023
and
W.M.P(MD)No.1345 of 2023**

S.Senthilvel

... Petitioner

VS.

- 1.The Authorized Officer,
Piramal Capital & Housing Finance Limited,
(Formerly known as Dewan Housing
Finance Corporation Limited),
Unit No.601, 6th Floor, Amiti Building,
Agastya Corporate Park,
Kanmani Junction,
Opposite Fire Station,
LBS Marg, Kurla (West),
Mumbai – 400 070.
- 2.The Branch Manager,
Piramal Capital & Housing Finance Limited,
(Formerly known as Dewan Housing
Finance Corporation Limited),
Door No.12, 1st Floor, Shanmuga Bhavanam,
OCPM School Road,
Kamaraj Nagar, 2nd Street,
Chinna Chokkikulam,
Madurai – 625 002.

... Respondents



W.P(MD)No.1471 of 2023

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records relating to the impugned possession notice dated 11.10.2022 issued by the second respondent under Section 13(4) of the SARFAESI Act r/w proviso to Rule 8(1) of the Security Interest (Enforcement) Rules, 2002 and quash the same.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For Respondents : Mr.P.Pethu Rajesh

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The learned counsel appearing for the petitioner seeks the permission of this Court to withdraw the Writ Petition and he has also made an endorsement to that effect. Further, the learned counsel appearing for the petitioner seeks liberty to the petitioner to approach the Debts Recovery Tribunal in the manner known to law, if he is so advised.



W.P(MD)No.1471 of 2023

WEB COPY

2. Recording the submission and endorsement made by the learned counsel appearing for the petitioner, this Writ Petition is dismissed as withdrawn with liberty as prayed for. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
06.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.1471 of 2023

DATED : 06.02.2023