



W.P(MD)No.14891 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.14891 of 2023

and

W.M.P(MD)No.12568 of 2023

G.Kesavamoorthi

... Petitioner

Vs.

The Authorized Officer,
InCred Finance,
234, 256 J/3 SR Plaza, 1st Floor,
Bye Pass Road,
Madurai – 625 016.

.. Respondent

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned sale notice Ref.No.SBL/003/MAY2023 dated 18.05.2023 issued under Rule 8(6) and 9(1) of the Security Interest (Enforcement) Rules, 2002 (as amended) by the respondent bank and quash the same as illegal and consequently to forbear the respondent from in any way dispossessing the petitioner from the Secured Assets Item No.1 All that piece and parcel of land situated at Ramanathapuram District, Sivagangai Registration District, Paramakudi Sub Registration District, Kattuparamakudi Village in S.No. 143/7(New S.No.143/7A) to an extent of 1.16 Acre of Punja Land, Item No.2



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All that piece and parcel of land situated at Ramanathapuram District, Sivagangai Registration District, Paramakudi Sub Registration District, Kattuparamakudi Village in S.No.143/7 and New S.No.143/7C to an extent of 1.16 acres of punja lan.

For Petitioner : Mr.V.Santhakumaresan

For Respondent : No Appearance

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition with liberty to move the Debts Recovery Tribunal.

2. In light of that, the writ petition is disposed of as withdrawn. The petitioner may avail the remedy before the Debts Recovery Tribunal as permissible under law. No Costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(C.K., J.)

30.08.2023

NCC : Yes/No
Index : Yes/No
PM



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THE HON'BLE CHIEF JUSTICE

and

C.KUMARAPPAN, J.

PM

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