



W.P.(MD)No.21732 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)No.21732 of 2023

and

W.M.P(MD)Nos.18131 and 18167 of 2023

Anitha Inigo Arasi

... Petitioner

Vs.

The Authorized Officer,
ICICI Bank Ltd.,
Thoothukudi Branch,
Tamil Nadu 627 001.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned demand notice dated 03.09.2022 issued under Section 13(2) of the SARFAESI Act and consequent impugned possession notice dated 24.04.2023 issued by the respondent herein, quash the same and consequently, direct the respondent herein to re-schedule the loan dues to enable the petitioner to make regular loan instalments.

For Petitioner

:Mr.K.Appadurai



W.P.(MD)No.21732 of 2023

ORDER

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(Order of the Court was made by **S.S.SUNDAR, J.**)

The learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition with liberty to approach the Debts Recovery Tribunal, as the writ petition is filed only challenging the communication by which the petitioner was asked to comply with the earlier demand to pay certain amount which was found due from the petitioner under SARFAESI Act, 2002 and he has also made an endorsement to that effect.

2. In view of the endorsement so made, this writ petition is dismissed as withdrawn with liberty to challenge any coercive action before the Debts Recovery Tribunal in future. No Costs. Consequently, connected miscellaneous petitions are closed.

[S.S.S.R., J.] [D.B.C., J.]
07.09.2023

Index : Yes / No
NCC : Yes/No

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