



WEB COPY



W.P.No.1099 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.1099 of 2024

M/s.Varshini Equipments,
rep. by its Sole Proprietrix G.Umamaheswari,
13/1C, Eachanari to Madukkarai Main Road,
Madukkarai Post,
Coimbatore – 641 105.

.. Petitioner

VS

- 1.The General Manager,
Indian Bank, Corporate Office,
254-260, Avvai Shanmugam Salai,
Chennai-600 014.
- 2.The Authorised Officer-cum-Chief Manager,
Indian Bank,
Stressed Assets Management Branch,
No.31, Varsity Hall Road,
Coimbatore-641 001.
- 3.M.Muthukumar
- 4.P.Ruban Chakravarthi



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5.P.Jayakumar,
Advocate Commissioner,
11/1, Gopalapuram 3rd Street
Deva Hotel Opp.
Coimbatore-641 018.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents with the aid of the Advocate Commissioner to hand over to the petitioner with due acknowledgment the third party materials as per the List of machineries marked as Ex.B.94 in O.A.No.1/2014 on the file of the Debts Recovery Tribunal, Coimbatore.

For the Petitioner : Ms.Kamachi D

For the Respondents : Mr.Jayesh B Dolia
Senior Counsel
for M/s.Aiyar & Dolia
for respondent No.2

: Mr.S.Vijayaraghavan
for respondent No.3

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Ms.D.Kamachi, learned counsel for the petitioner; Mr.Jayesh B Dolia, learned Senior Counsel for



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M/s.Aiyar & Dolia, learned counsel for the second respondent;
and, Mr.S.Vijayaraghavan, learned counsel for the third
respondent.

2. Under the order dated 18.1.2024, upon hearing learned Senior Counsel for the petitioner, we had passed an order directing the petitioner to deposit Rs.One Crore on or before 22.01.2024. On condition of such deposit, *status quo* was directed to be maintained in respect of the subject-property. Thereafter, on 22.1.2024, a request was made to extend the time to deposit the amount as directed by this Court under order dated 18.1.2024. Considering the request made, we extended the time to deposit Rs.One Crore up to 29.01.2024.

3. It is admitted that the amount of Rs.One Crore is not deposited by the petitioner till 29.01.2024, nor the same is deposited till this date.



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4. Now, learned counsel for the petitioner submits that the petitioner has filed the appeal and seeks leave to withdraw the present writ petition.

5. It appears that to wriggle out of the order directing deposit of Rs.One Crore, the request is made to withdraw the writ petition.

6. In view of the request made, the writ petition is dismissed as withdrawn. The interim order earlier granted by this Court stands vacated. Consequently, W.M.P.Nos.1152 and 1154 of 2024 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

02.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

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