

IN THE HIGH COURT OF KARNATAKA AT
BENGALURU

DATED THIS THE 27TH DAY OF NOVEMBER 2015

BEFORE

THE HONOURABLE MR. JUSTICE ANAND BYRAREDDY

WRIT PETITION No.11041 OF 2015 (GM-RES)

BETWEEN:

Marappa,
Son of Saranappa,
Aged about 25 years,
Residing at First Floor,
No.VIIA, Andrahalli Main Road,
2nd Stage Peenya,
Bengaluru 560 058.

...PETITIONER

(By Shri N. Suresha, Advocate)

AND:

1. State Bank of India
Retail Asses Central Processing
Center III Banaswadi Maruthi Mansion,
7M/422, 80 feet road,
Kalyannagar,
Bangalore 560043,
Represented by his
Authorized Officer.

2. G.D.Ramesh,
Son of D. Devaraj,
Age: 40 years,
3. D. Parthasarathi,
Son of Devaraj,
Age 35 years,

Respondent nos. 2 and 3 are
Residing at #25, 3rd Cross,
4th Main Road,
G.K.W.Layout,
Peenya II Stage,
Bangalore 560 058.

...RESPONDENTS

(By Shri M.R.Shashidhar, Advocate for Respondent No.1;
Respondent no.3 served)

This Writ Petition filed under Article 226 of the Constitution of India, praying to direct the first respondent not to take physical possession of the writ petition schedule properties.

This Writ Petition coming on for Orders this day, the court made the following:

ORDER

The learned Counsel for the respondent has filed a memo which reads as follows:-

“MEMO FOR DISPOSAL OF THE WRIT PETITION

It is humbly submitted that the original borrower is G.D.Ramesh has paid the entire dues to the Respondent Bank in full and final satisfaction of its claim. The loan account of G.D.Ramesh stands closed in our books. The petitioner is claiming tenancy under said G.D.Ramesh. By virtue of settlement, we have no claim whatsoever in respect of the petition schedule property. We have withdrawn all the proceedings in respect of the said property. Hence, the prayer sought in the Writ Petition does not survey for consideration.

Wherefore, it is humbly prayed that this Hon'ble Court may pleased to dismiss the Writ Petition as having become infructuous in the interest of justice and equity.”

In that view of the matter, there is no threat of dispossession of the petitioner and hence, the petition is disposed of recording the statement of the Counsel for the respondent.

**Sd/-
JUDGE**

nv