

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.06.2017**

CORAM:

THE HONOURABLE **MR.JUSTICE HULUVADI G.RAMESH**

and

THE HONOURABLE **MR.JUSTICE RMT.TEEKAA RAMAN**

Writ Petition Nos.7410 & 7411 of 2017

and

W.M.P.Nos.8065 & 8066 of 2017

G.Maa Guberan

...Petitioner in W.P.No.7410 of 2017

C.A.Raghu Prasad

...Petitioner in W.P.No.7411 of 2017

Vs

The Manager,
Indian Bank,
Nungambakkam Branch,
No.9, 7th Cross Street,
Lake Area, Nungambakkam,
Chennai 600 034.

...Respondent in both the W.Ps

Prayer in W.P.No.7410 of 2017: Writ petition is filed under Article 226 of Constitution of India praying to issue a Writ of mandamus forbearing the respondent from selling the property of the petitioner comprising land measuring an extent of 5151 sq.ft. comprised in village Natham with old S.No.613/1 (part), New S.No.652/7 (as per patta), building thereon having

4420 sq.ft. ground plus first floor (as per approval area 3192 sq.ft. ground plus first floor) at New Door No.269/5, Thiruvalluvar Street, Sadhanandapuram, Srinivasa, Nagar Post, Chennai - 600 063 and bounded on the North by land and house belonging to Ms.S.Kanagaraj, South by property belonging to Mrs.Mallika and Mrs.R.Jayabalan, East by land and house belonging to Mr.Gangadaran and West by Thiruvalluvar Street, below the value fixed by the Respondent Bank in its sale notice dated 15.10.2015.

Prayer in W.P.No.7411 of 2017: Writ petition is filed under Article 226 of Constitution of India praying to issue a Writ of mandamus forbearing the respondent from selling the property of the petitioner comprising land measuring an extent of 5 cents in S.No.209/16 and 1/2 cent in S.No.209/17 building thereon having 1665 sq.ft. in the ground floor, Ganapathipuram, East Tambaram, Chennai - 600 059 and bounded on the North by the Servant quarters of the Madras Christian College, South by the House of V.S.Chankrapani Sarma, East by the House of Woobert and West by the house of V.S.Chakrapani Sarma below the value fixed by the Respondent Bank in its sale notice dated 15.10.2015.

For Petitioner
in both W.Ps : Mr.B.Natarajan

For Respondent
in both W.Ps : Mr.P.Paul Singh

COMMON ORDER

To forbear the respondent from selling the properties of the petitioners, below the value fixed by the Respondent Bank, in its sale notice dated 15.10.2015, the petitioners are before this Court with these writ petitions.

2.We have heard the learned counsel for the petitioners and the learned counsel for the respondent.

3.Since, the petitioners had an apprehension that the respondent will auction their properties, the petitioners have approached this Court with these writ petitions. While ordering notice to the respondent on 27.03.2017, this Court granted an order of interim injunction on condition that the petitioner in W.P.No.7410 of 2017 shall deposit Rs.25,00,000/- and the petitioner in W.P.No.7411 of 2017 shall deposit a sum of Rs.15,00,000/- on or before 28th April 2017. But it appears that the petitioners have not complied with the said conditional order.

4.Today, the learned counsel for the petitioners seeks further time for the petitioners to make the above deposits. In such being the case, these writ petitions are not maintainable.

5.In the result, the writ petitions are dismissed however, the petitioners are at liberty to work out their remedies before the appropriate forum. There shall be no order as to cost. Consequently, connected miscellaneous petitions are closed.

(H.G.R.J.,) (T.K.R.J.,)
02.06.2017

Speaking order/non speaking order
Index:Yes/No

jbm/kas

To

The Manager,
Indian Bank,
Nungambakkam Branch,
No.9, 7th Cross Street,
Lake Area, Nungambakkam,
Chennai 600 034.

HULUVADI G.RAMESH .J
and
RMT.TEEKAA RAMAN,J
jbm

W.P.Nos.7410 & 7411 of 2017

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