

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.4040 of 2018

R.Anand Kumar ... Petitioner

vs.

M/s.Dhanalakshmi Bank,
Peenya Branch,
Rep. by its Authorized Officer,
Peenya, 1st Cross, I Stage,
Bangalore, Karnataka ... Respondent

WRIT Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, directing the respondent to pay a sum of Rs.1,00,00,000/- (Rupees One Crore Only) being the fair market price of the property purchased by petitioner in the public auction conducted by the respondent bank on 29.02.2008.

For Petitioner : Mr.V.T.Srinivasan
For Respondent : Mr.Gokul Krishnan (for R1)

ORDER

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

Petitioner has sought for a mandamus, directing Ms/Dhanalakshmi Bank, Peenya represented by its Authorised Officer, Bangalore, Karnataka, to pay a sum of Rs.1,00,00,000/- (Rupees One Crore Only) being the fair market price of the property purchased by him in the public auction conducted by the respondent bank on 29.02.2008.

2. Respondent bank is a private bank. In Federal Bank Limited Vs. Sagar Thomas and others, reported in AIR 2003 SC 4325, Hon'ble Supreme Court held that writ against the bank is not maintainable.

3. Though averments and grounds have been made, for the relief stated supra, in the light of the decision of the Hon'ble

Supreme Court in Federal Bank's case, writ petition cannot be entertained. Writ petition is dismissed. No costs.

4. Learned counsel for the petitioner seeks liberty to take recourse in accordance with law.

5. If law permits, it is always open to the petitioner to take appropriate steps.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

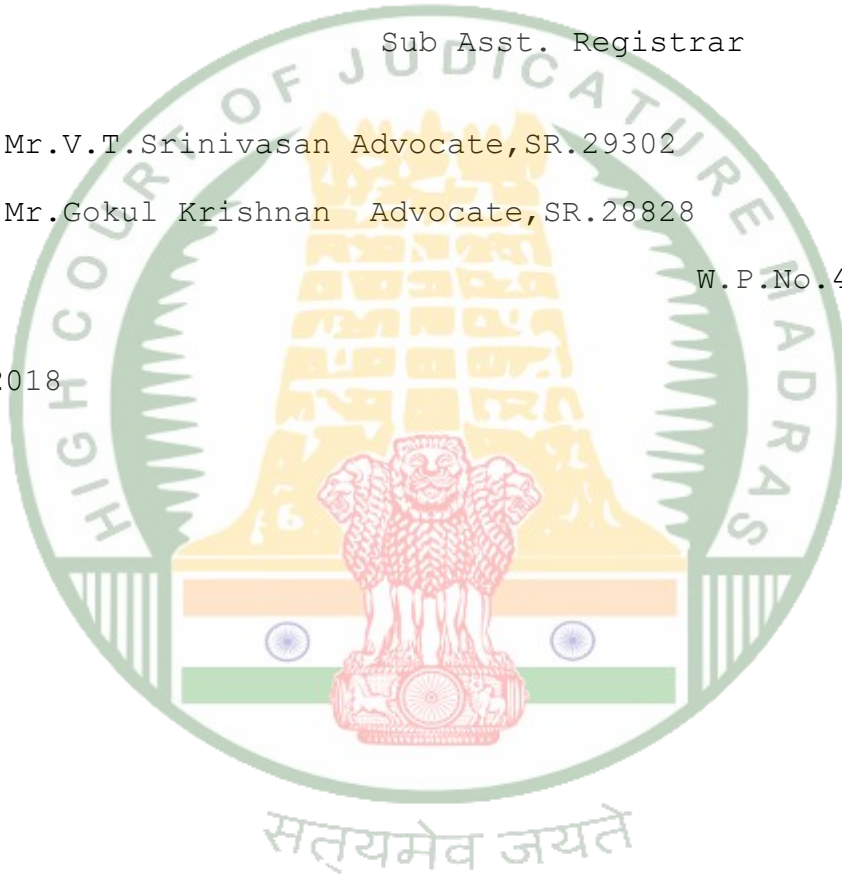
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+ 1 cc to Mr.V.T.Srinivasan Advocate,SR.29302

+ 1 cc to Mr.Gokul Krishnan Advocate,SR.28828

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