



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.6545 of 2022

A.Manickam

..Petitioner

Vs

Muthoot Housing Finance Co. Ltd.,
2nd Floor, Sai SG ARCADE,
Above ujjivan small finance bank,
Suramangalam,
Salem-636 005.

..Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent to return the original title of the property situated at Old No.64, CIV, New No.64C 5, OLD 91 4B, TS No.64 I, Ward E Block 26, East Street, Chinnamanali Edappadi Taluk and Municipality, Edappadi TK and SRO Salem West Reg DT, near Kumaran Theater, Edappadi S.O., Salem owned by the petitioner on repayment of outstanding dues as on 19.03.2021.

For the Petitioner : Mr.Anil Relwani

ORDER

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

The writ petition has been filed against the respondent - Muthoot Housing Finance Company Limited, a private finance company, not discharging any statutory or public duty. Since the respondent is neither a State nor an authority within the meaning of Article 12 of the Constitution of India, we are of the considered view that no writ petition will lie against the respondent under Article 226 of the Constitution of India.

2. Learned counsel for the petitioner has failed to produce any iota of material to justify that the respondent is discharging any statutory or public duty and, therefore, the writ petition is maintainable.



3. In view of the above, the writ petition is dismissed as not maintainable. However, this order will not deprive the petitioner from taking legal recourse in regard to his grievance, as is available to him. There will be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

Muthoot Housing Finance Co. Ltd.,
2nd Floor, Sai SG ARCADE,
Above ujjivan small finance bank,
Suramangalam,
Salem-636 005.

W.P.No.6545 of 2022

NRL (CO)
RGA (29/03/2022)