



W.A.No.1323 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.1323 of 2023

G.Sagadevan

Vs.

.. Appellant

The Registrar of Cooperative Societies (Housing)/
Managing Director

Tamil Nadu Housing Board Building
No.1, Anna Salai, Nandanam
Chennai 35.

.. Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 13.09.2021 made in W.P.No.19153 of 2021.

For the Appellant : Mr.C.Prakasam

For the Respondent : Mr.T.K.Saravanan
Government Advocate

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.C.Prakasam, learned counsel for the appellant and Mr.T.K.Saravanan, learned Government Advocate for



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the respondent.

2. The property of the writ petitioner/appellant is auctioned in the year 2010. The writ petitioner challenged the same in 2012 before the respondent. The challenge made by the writ petitioner was negated on 14.05.2013. The said order is challenged by the writ petitioner by filing writ petition bearing No.19153 of 2021, after eight years. The learned Single Judge dismissed the writ petition on the ground of delay and laches.

3. Mr.C.Prakasam, learned counsel for the appellant submits that the property auctioned is the only property of the appellant. The same is sold at a very less price.

4. It appears that the appellant had filed an appeal against the auction of the mortgaged property. The said appeal is dismissed by the Deputy Registrar on 28.07.2010. The revision was filed belatedly. Thereafter, the appellant had filed the writ petition. In the writ petition, the appellant did not even add the auction purchaser



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WEB COPY as a party. The auction sale is concluded.

5. Though there is no limitation for filing writ petition, the same ought to be filed within a reasonable time. Eight years after the revision was dismissed, the appellant filed the writ petition.

6. The learned Single Judge has not committed any error in dismissing the writ petition on the ground of delay and laches. In addition, the writ petition also could not have been considered on the ground of non-joinder of necessary parties.

7. The writ appeal, as such, is dismissed. There will be no order as to costs.

(S.V.G., CJ.) (D.B.C., J.)
15.12.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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