



W.P.(MD) No.3898 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.3898 of 2023

and

W.M.P.(MD)No.3734 of 2023

S.Muthuraj

... Petitioner

-Vs-

1.The Authorized Officer,

Canara Bank, Sankarankovil Branch,

191-A, Rajapalayam Main Road,

Tenkasi District-627756.

2.The Tahsildar,

Melaneelithanallur Panchayat Union,

Sankarankovil Taluk, Tenkasi District.

Page 1 of 5



W.P.(MD) No.3898 of 2023

WEB CUM

3.The Village Administrative Officer,
North Panavadali Village,
Melaneelithanallur Panchayat Union Limit,
Sankarankovil Taluk, Tenkasi District.

4.S.Manikandan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned communication dated 20.02.2023 issued by the 4th respondent to the 3rd respondent and quash the same as illegal, arbitrary and unsustainable.

For Petitioner : Mr.A.Balaji
For R1 : Mr.R.Pandivel,
Standing Counsel
For R2 & R3 : Mr.P.T.Thiraviyam,
Government Advocate

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed challenging the communication of the 4th respondent dated 20.02.2023 to the 3rd respondent.

Page 2 of 5



W.P.(MD) No.3898 of 2023

WEB COPY

2.Mr.R.Pandivel, learned Standing Counsel takes notice for the 1st respondent and Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the respondents 2 and 3. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 4th respondent is dispensed with.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.A perusal of the impugned communication of the 4th respondent shows that the 4th respondent requested the 3rd respondent to take physical possession of the petitioner's property. We are of the view that the petitioner without challenging any of the proceedings initiated by the respondent Bank, has chosen to challenge the Advocate Commissioner's communication. Therefore, the Writ Petition is not maintainable.



W.P.(MD) No.3898 of 2023

WEB COPY

5.At this stage, the learned Standing Counsel appearing for the respondent Bank, on instructions, submitted that if the petitioner approaches the respondent Bank within a period of one week from the date of receipt of a copy of this order with an undertaking to settle the entire outstanding amount in three consecutive equal monthly installments, the respondent Bank is ready to consider the request of the petitioner.

6.Recording the aforesaid submission, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [L.V.G., J.]
24.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

Note: Issue Order copy on 27.02.2023.

Page 4 of 5



WEB COPY



W.P.(MD) No.3898 of 2023

D.KRISHNAKUMAR, J.
AND
L.VICTORIA GOWRI, J.

MYR

W.P.(MD)No.3898 of 2023

24.02.2023

Page 5 of 5