



W.P.(MD)No.13403 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13403 of 2021

Duraisamy

... Petitioner

vs.

1.The Zonal Manager, Canara Bank, Madurai.

2.The Branch Manager,
Canara Bank, Ethumalai Branch,
Manachanallur Taluk, Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to give arrears of rent as per the agreement entered with the 2nd respondent and to continue the rent agreement entered on 01.09.2019 on the basis of the representation dated 08.10.2020.

For Petitioner :Mr.R.Manoharan
For Respondents :Mr.N.Dilip Kumar



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ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second respondent to give arrears of rent as per the agreement entered with the second respondent and to continue the rent agreement entered on 01.09.2019 on the basis of the representation dated 08.10.2020.

2.In the considered view of this Court, the petitioner is seeking to enforce the contractual agreement between the parties by filing a Writ Petition and the Writ Petition itself is not maintainable. This dispute can only be resolved by the concerned Civil Court and just because one of the parties happens to be a bank, that does not mean that a Writ Petition can be filed before this Court. This Court is not inclined to exercise its jurisdiction under Article 226 of Constitution of India.

3.In view of the above, this Writ Petition is dismissed. No costs.

Index :Yes / No
Internet : Yes / No
NCC : Yes / No
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N.ANAND VENKATESH, J.

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