



WP(MD)No.23763 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.23763 of 2016
and
WMP(MD)No.17089 of 2016

Yesudhasan

... Petitioner

v.

1.Tamil Nadu Industrial Investment Corporation Ltd.,
Rep. by its Managing Director,
Anna Salai,
Nandanam,
Chennai – 600 035.

2.Tamil Nadu Industrial Investment Corporation Ltd.,
Rep. by its Branch Manager,
Nagercoil Branch,
143, Cape Road,
Veppamood Junction,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus forbearing the respondents from auctioning or selling the petitioner's property to an extent of 8 cents situated



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in S.No.259/3, Veiyanur Village, presently Kannur Village, Kalkulam Taluk,
Kanyakumari District, without following due process of law.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.G.Murugan

ORDER

The petitioner has filed this writ petition forbearing the respondents from auctioning or selling the petitioner's property to an extent of 8 cents in S.No.259/3, Veiyanur Village, presently Kannanur Village, Kalkulam Taluk, Kanyakumari District.

2.The case of the petitioner is that he has duly purchased the property in S.No.259/3 from one Dr.Blessed Singh and this petitioner has not obtained any loan from the respondent / Industrial Corporation. However, the respondents, by relying on the debt of the petitioner's vendor, has attempted to sell the property by auction and therefore, the petitioner has filed this writ petition.



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WEB COP 3. Learned Counsel appearing for the respondents Corporation submitted that the petitioner's vendor's vendor one Sundaraja has pledged this property and obtained a loan from the Corporation in the year 1994. He has not repaid the loan amount and therefore, the property was attached by the Corporation and also subjected for public auction. He further submitted that the property was sold on public auction on 24.08.2017 and sale deed was also executed on 10.07.2018 to the auction purchaser.

4. In view of the submission made by the respondents Corporation that the property has already been auctioned and a sale deed has also been executed, this writ petition stands disposed of, with liberty to the petitioner to work out his remedy as against his vendor in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
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B.PUGALENDHI, J.

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