



WEB COPY

W.P.No.5124 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.P.No.5124 of 2024

Imran Khan Pathan

...Petitioner

Vs.

1.M/s.Shriram Housing Finance Limited,
Reg. Office No. 123, Angappa Naicken Street,
Chennai - 600 001.

2.Fathima Bugum

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the first respondent to consider the petitioner's representation dated 19.01.2024 and to direct the first respondent to release the petitioner's lease amount from the sale excess amount of the 2nd respondent's property vide sale certificate dated 15.04.2023 with respect to 2nd respondent's property totalling to 1927.11 Sq.ft together with 567 Sq.ft. undivided share out of 756 Sq.ft. UDS at Door No.17, Ponnappa Mudali Street, Purasawalkam Village, Perambur Taluk, Chennai - 600 084 in Old Survey No.373 (part), R.S.No.668 (part).

For Petitioner : Mr.A.Sathiya Prakash



WEB COPY

W.P.No.5124 of 2



ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The mandamus sought for cannot be issued. The petitioner wants this Court to become an Executing Court. If any money is left in the hands of the respondent after appropriating its debts, it is open to the petitioner to take legal proceedings to either attach that money or by obtaining a garnishee order. Hence, this Writ Petition is **dismissed**. No costs.

(R.S.M., J.) (R.S.V., J.)
29.02.2024

kkn

Internet:Yes

Index:No

Speaking

Nuetral Citation :No



WEB COPY

W.P.No.5124 of 2



R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

KKN

W.P.No.5124 of 2024

29.02.2024