



W.P.No.19659 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.19659 of 2022

R.Ravichandran

.. Petitioner

Vs

- 1.The Chief Regional Manager,
Indian Overseas Bank,
Regional Office
20-21, Kamarajar Salai,
Kancheepuram-631 501.
- 2.The Chief Manager,
Indian Overseas Bank,
Large Advance Branch,
Irungattukottai,
Sipcot Industrial Park,
Irungattukottai-602 117.
- 3.The Managing Director,
Chennai Metropolitan Water Supply and Sewage Board,
Chennai-600 002.
- 4.Greater Chennai Corporation,
rep. by its Commissioner,
Corporation of Chennai,
Rippon Building, Chennai-600 003.



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5. Reliance Asset Reconstruction Company Pvt. Ltd.,
11th Floor, North Side, R.-Tech Park,
Western Express Highway,
Goregoan (East), Mumbai-400 063.

.. Respondents

(Respondent No.5 impleaded vide order dated
12.9.2023 made in W.M.P.No.28597 of 2022)

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to ensure compliance of all levies of tax, cess, charges, fees, demands and such other claims by statutory authorities in respect of the property No.1 F, Century Plaza, No.560 – 562, Anna Salai, Teynampet, Chennai-600 018 as being demanded/claimed, without any default to ensure preservation of property in possession of the respondents to comply with demands by statutory authorities on the property under the possession of the respondents.

For the Petitioner : Mr.R.Ravichandran
Petitioner-in-person

For the Respondents : Mr.Y.T.Aravind Gosh
for respondent Nos.1 and 2

: Mr.Jerry V.V.Sundar
for respondent No.3

: Mr.E.C.Ramesh
Standing Counsel
for respondent No.4



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: Mr.Rajendra Raghavan
for respondent No.5

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.R.Ravichandran, petitioner-in-person;
Mr.Y.T.Aravind Gosh, learned counsel for respondents 1 and 2;
Mr.Jerry V.V.Sundar, learned counsel for respondent No.3;
Mr.E.C.Ramesh, learned Standing Counsel for respondent No.4; and,
Mr.Rajendra Raghavan, learned counsel for respondent No.5.

2. One of the reliefs claimed by the petitioner is to allow him to take the movables inside the property re-possessioned by the bank. The petitioner, under the interim order passed by this court, was permitted to take away the movables.

3. The other relief claimed by the petitioner is a direction against the respondents to ensure compliance of all levies of tax, cess, charges, fees, demands and such other claims by statutory authorities



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in respect of the subject writ property and to preserve the property in possession.

4. It appears that there was an Original Application filed by the bank, to which, the petitioner had filed a counter-claim. The judgment is delivered by the Debts Recovery Tribunal in the said Original Application. The said judgment, it appears, has become final as on date. The appeal filed by the petitioner before the Debt Recovery Appellate Tribunal has been withdrawn.

5. The petitioner-in-person submits that the withdrawal of the appeal is on the assurance given by the bank of settlement. Learned counsel for the bank does not agree to the said statement. However, we cannot go into the said aspects.

6. In case the petitioner has any grievance with regard to the amount in question and/or steps to be taken with regard to the secured asset, then the petitioner may avail an appropriate remedy. In writ jurisdiction, all these grounds cannot be gone into.



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7. In the light of the above, we dispose of the writ petition with liberty to the petitioner to take such further steps before the appropriate forum as may be permissible under law. In that event, all contentions of the respective parties are kept open. There shall be no order as to costs. Consequently, W.M.P.No.18976 of 2022 is closed.

(S.V.G., C.J.)

(J.S.N.P., J.)

24.04.2024

Index : Yes/No
Neutral Citation : Yes/No
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- 4.The Commissioner,
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Corporation of Chennai,
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THE HON'BLE CHIEF JUSTICE
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