



WEB COPY

W.P.No.14200 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2024

CORAM:

**THE HON'BLE MR.JUSTICE S.S.SUNDAR
and
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.No.14200 of 2024
and W.M.P.No.15397 of 2024**

S.S.Gunasekar
...Petitioner

vs.

The Authorised Officer,
(IFSC Code. TMBL000008)
Tamilnad Mercantile Bank Ltd.,
Chennai 21 Branch,
No.20, G.A.Road, Old Washermenpet,
Chennai – 600 021.
...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order dated 03.05.2024 passed by Hon'ble DRT-III in TSA No.517 of 2023, to quash the sale of property of together with building measuring up to 850 sq.ft. situated at Plot No.59, Old No.554/2, New No.730/2, Manali Chinnaiah Mudali Thottam 2nd Street, Thiruvotriyur High Road, Chennai – 600 021, confirmed by the impugned order dated 03.05.2024 passed by the Hon'ble DRT-III in TSA No.517 of 2023 to direct the respondent to give an opportunity to the petitioner to settle the



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outstanding dues to retrieve aforesaid property.

For Petitioner : Mr.A.Balaji

For Respondent : Mr.N.Somasundar

ORDER

(Order of the Court was made by S.S.Sundar, J.)

The petitioner states that he is unable to reach the auction purchaser even though they made an attempt. The fact that the sale had been concluded on 29.10.2022 is not in dispute. Therefore, this writ petition is liable to be dismissed on the sole ground that the petitioner has not even impleaded the auction purchaser without whom the writ petition cannot be heard and disposed of on merits.

2.Accordingly, this writ petition is dismissed for not impleading the auction purchaser. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R.,J.) (N.S.,J.)

10.06.2024

Index: yes/no
Speaking order:yes/no
Neutral Citation:yes/no
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To

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