



W.P.(MD) No.400 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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A.L.Abishek

... Petitioner

Vs.

1. The Authorized Officer,
CSB Bank Limited, Assets Recovery Branch,
2nd Floor, Siva Complex,
No.54, Old Post Office Road,
Coimbatore-18.
- 2 The Branch Manager
CSB Bank Limited,
Nagercoil Branch,
Nagercoil,
Kanyakumari District.
- 3 M/s. Angel Bakery,
Rep. by its Proprietor S.Sekar,
S/o. Sri Rajamony,
No. 13/8A, B,C Karungal Road,
Thickkanam Code, Kanyakumari District. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to execute Sale Deed and hand over physical possession in respect of property comprising in R.S.No. 726/4 of Thickkanamcode Village, Kalkulam



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Taluk, Kanyakumari District as per the Sale certificate dated 10.12.2021 issued under Rule 9(6) of Security Interest (Enforcement Rules 2002.

For Petitioner :Mr.S.Suresh Kumar

For R-1 & R-2 :Mr.R.Pandivel

For R-3 :No Appearance

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the 1st respondent to execute a Sale Deed and hand over physical possession in respect of the property comprised in R.S.No.726/4 of Thickkanamcode Village, Kalkulam Taluk, Kanyakumari District as per the Sale certificate, dated 10.12.2021, issued under Rule 9(6) of Security Interest (Enforcement Rules 2002.

2. Today, when the matter is taken up for hearing, the learned standing counsel appearing for the respondent – bank, on instructions, would submit that in this matter, the sale deed has been



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registered and the possession has been handed over to the petitioner and therefore, the prayer as sought for by the petitioner has become infructuous.

3. In view of the said submission, this writ petition is dismissed as infructuous. No Costs.

[D.K.K., J.]

[R.V., J.]

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Neutral Citation: Yes / No

Index : Yes / No

PM



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