



W.P.(MD)No.9713 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9713 of 2024

and

W.M.P.(MD)No.8777 of 2024

A.Saleem

... Petitioner

Vs.

1.The Regional Manager,
State Bank of India,
No.25, Swamy Nellaiyappar High Road,
Tirunelveli, Tirunelveli District.

2.The Branch Manager,
State Bank of India,
Quilon Main Road,
Puliyarai Post,
Shenkottai Taluk,
Tenkasi District.

3.The City Union Bank,
Door No. 342-D, Courtallam Road,
Near Yanaipalam, Tenkasi Taluk,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent
not to withhold the petitioner's rental proceeds or disburse the same to the



W.P(MD)No.9713 of 2024

3rd Respondent without any order in the manner known to law pursuant to the petitioner's objection letter dated 26.03.2024.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.C.Deepak,
Standing Counsel for R1 & R2.
Mr.K.Muraleedharan,
Standing Counsel for R3.

ORDER

Heard the learned counsel for the writ petitioner, the learned standing counsel for State Bank of India and the learned standing counsel for City Union Bank.

2.The petitioner had availed loan from City Union Bank. He had also mortgaged his property. It appears that he had committed default. City Union Bank initiated SARFAESI proceedings. It appears that State Bank of India is occupying the petitioner's premises in the capacity as tenant. The third respondent has also called upon State Bank of India not to pay the monthly rent to the petitioner. For calling upon the second respondent to disregard the instruction of City Union Bank, the present writ petition has been filed.



W.P(MD)No.9713 of 2024

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3. These are matters that will have to be worked elsewhere. Invoking writ jurisdiction is clearly misconceived. Granting liberty to the petitioner to pursue his remedy in the manner known to law, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.9713 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.9713 of 2024

22.04.2024