



W.P.No.7251 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.09.2025

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THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.7251 of 2023
and W.M.P.No.10587 of 2023

K.Senthilkumar

... Petitioner

Vs.

1.The District Collector,
Tirupur District,
Tirupur - 641 601.

2.The District Revenue Officer,
Tirupur,
Tirupur District.

3.The Revenue Divisional Officer,
Tirupur Revenue Division,
Tirupur District.

4.The Tahsildar,
Avinasi Taluk,
Tirupur District.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to dispose of the petitioner's representation dated 23.11.2022 and to restore the patta



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in name of the petitioner.

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For Petitioner : Mr.P.V.Selvakumar

For Respondents : Mr.P.Ganesan,
Government Advocate

ORDER

The relief sought for in this writ petition is to direct the respondents to dispose of the petitioner's representation dated 23.11.2022 and to restore the patta in name of the petitioner.

2. The case of the petitioner is that the petitioner took a loan from the Corporation Bank, Veerapandi Branch, Tirupur to the tune of Rs.10.50 crores, by executing a mortgage deed to the Bank. Since there was a default in payment of interest, the Bank has issued SARAFESI proceedings on 04.10.2016. Subsequently, notice under Section 13(4) was also issued, challenging the same, the petitioner filed S.A.No.298 of 2021 before the Debt Recovery Tribunal, Coimbatore and the same is pending. Further, the Bank has filed a recovery against the petitioner in O.A.No.331 of 2017 and yet another S.A.No.438 of 2019 is also pending before the Debt Recovery Tribunal, Coimbatore.



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2.1. Under the above circumstances, the Bank has sold the property by way of Sale Certificate dated 07.10.2020 to the auction purchasers, who in turn trying to mutate the revenue records in their names. For which, the petitioner made objections before the respondents 3 & 4 on 23.11.2022. However, no order was passed. Hence, the petitioner has come forward with the present writ petition.

3. Learned counsel for the petitioner would submit that the despite giving objection dated 23.11.2022 before the respondents 3 & 4, not to mutate the revenue records in favour of the auction purchasers, the respondents issued a patta in favour of auction purchasers and removed the name of petitioner. He would further submit that, during the Covid pandemic, the property was brought into auction. Therefore, he prays this Court to restore the patta in favour of the petitioner.

4. Learned Government Advocate appearing for the respondents submitted that in the present case all the procedures are duly complied.



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If at all the petitioner is aggrieved, he can very well utilise the alternate remedy, which is available to him. However, ignoring those aspects, the petitioner has come forward with the present writ petition, as if his name was wrongly removed from the patta and some third parties names' were included in the said patta. The petitioner has no *locus standi* to claim that he is the owner of the property, since the petitioner's property was taken over by the bank, due to the default in payment of loan. Therefore, the bank has sold the petitioner's property by way of auction.

5. Heard the learned counsel on either side and perused the materials available on record.

6. I can find force in the submission of the learned Government Advocate appearing for the respondents, since the petitioner has availed loan from the Bank and committed default in payment of loan. Therefore, the said bank brought the property for sale and issued the sale certificate to the auction purchasers in the year 2020. Based on which, patta was also issued on their favour. Since the petitioner has lost the ownership of the property, he has no locus-standi to claim that he is the



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owner of the said property. If at all there is any grievance to the petitioner, he has to agitate the same before appropriate authority and not before this Court. Moreover, the respondents also acted upon in the manner known to law and in terms of the agreement entered between the parties. Such being the case, making representation after the sale of property is the abuse of process of law. Therefore, this Court is not inclined to entertain this writ petition.

7. In view of the above, this Court is inclined to dismiss the present petition with costs.

8. At this juncture, the learned counsel for the petitioner would submit that the petitioner is having serious health issues and hence, he requests this Court not to impose any costs.

Considering the age and health issues of the petitioner, this Court is not inclined to impose any costs. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is dismissed.



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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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KRISHNAN RAMASAMY.J.,

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