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WP No.21700 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2025

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THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.21700 of 2023

Abdullah Sarwar

: Petitioner

versus

Authorised Officer,
SARB, State Bank of India,
rep. By its Assistant General manager,
Red Cross Buildings,
32, Red Cross Road, Egmore
Chennai 600008

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus appointing an independent chartered accountant at petitioner's cost, which petitioner is willing to pay for arriving at the true picture and status of correct and legitimate outstanding dues payable towards respondents return of title deeds any other appropriate writ or order or direction.

For Petitioner : Mr.Abdullah Sarwar
Petitioner-in-person

For Respondent : Mr.M.L.Ganesh



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ORDER

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

In compliance of the order passed by this Court earlier, a memo has been submitted before this Court by the Recovery Officer, which clearly shows that the two title deeds have been returned to the petitioner and even possession of the property has also been given to the petitioner, after removing the lock and seal.

2. Indulgence was shown to the petitioner when the petitioner gave an impression on the last date of hearing that at this stage, when one of the property has already been sold, and the dues stand fully satisfied, the title deeds in respect of two more properties and possession of the property may be returned to him.

3. After going through the memo filed by the Recovery Officer, we are satisfied that the order passed by this Court has been complied with, two title deeds have been returned and possession has also been handed over to the petitioner.



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4. The petitioner in the most ingenious manner takes a somersault today and starts pressing this petition saying that the auction proceedings were illegal.

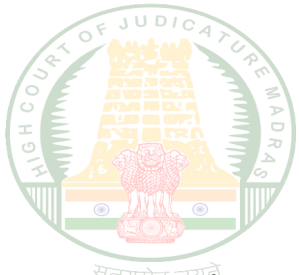
5. The petitioner having sought indulgence of this Court, now cannot be allowed to turn around, when the title deeds of two properties have already been returned to him and possession has also been handed over. The petitioner by his conduct has waived his right to challenge all the proceedings. Therefore, the petition stands dismissed. There will be no order as to costs. Consequently, WMP Nos.16584, 16582 of 2025 are closed.

6. No petition shall now be entertained by any Debts Recovery Tribunal in the matter of challenge to the sale of one of the properties of the petitioner.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
03.09.2025

Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND

G.ARUL MURUGAN, J.

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To

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