



WEB COPY



W.P.No.20386 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.20386 of 2024
and WMP No.33934 of 2024

M.Naagoor Kani

: Petitioner

Vs

Tamil Nadu Mercantile Bank Ltd
Coimbatore Regional Office
D.No. 540, 1st Floor, D.B.Road
R.S.Puram, Coimbatore -64100
rep. by Authorised Officer

: Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent bank to extend the time for payment of balance bid amount of Rs. 25,53,000/-(Rupees Twenty Five Lakh Fifty Three Thousand Only) and accept the balance bid amount from the petitioner and execute the sale deed for the property ad-measuring the property ad-measuring 840 Sq.Ft comprised in R.S.No. 105/1 Site No.6 Along with the building constructed situated at Rajarathinam Nagar, Kumarapalayam Village, Coimbatore District in favour of petitioner.

For Petitioner : Mr.R.Rajarajan

For Respondent : Mr.V.Chandrasekaran

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ORDER

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

Considering the nature of relief sought, this Court is of the view that the same cannot come within the writ jurisdiction of this Court under Article 226 of the Constitution of India. We therefore dismiss the petition.

2. At the same time, Mr.Rajarajan states that the balance amount of Rs.25,53,000/- has already been paid to the bank on or about 30.07.2024, in view of the bank not expressing serious objection, as recorded in the order dated 25.07.2024.

3. Mr.V.Chandrasekaran for the bank states that there is a bar to accept payments after the expiry of 90 days from the date of confirmation of sale and therefore, the bank's hands are tied. Nevertheless, counsel states that he shall instruct the bank to see how to close the deal because bank itself is finding it difficult to find other buyers.



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4. Mr.Rajarajan states that he shall contact the bank for either confirming the sale or refunding the money.

5. There will be no order as to costs. Consequently, the interim application also stands disposed of.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ, J.)

26.02.2025

Index : Yes/No
Neutral Citation : Yes/No
tar

To

The Authorised Officer
Tamil Nadu Mercantile Bank Ltd
Coimbatore Regional Office
D.No. 540, 1st Floor, D.B.Road
R.S.Puram, Coimbatore -64100



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THE HON'BLE CHIEF JUSTICE

AND

MOHAMMED SHAFFIQ, J.

(tar)

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