



W.P.No.24740 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.24740 of 2025

V.T.Murugesan

.. Petitioner

Vs.

The Authorised Officer
Punjab & Sind Bank
(A Govt of India Undertaking)
Asset Recovery Management Branch
770-A, Anna Salai, Dewa Towers
1st Floor, Chennai 600 002.

.. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus to direct the respondent to repay the E Auction sale consideration amount of Rs.25,94,000/- (Rupees twenty five lakhs ninety four thousand only) along with interest at the rate of 12% per annum from August 2023 till the date of actual payment, and to pay a sum of Rs.2,00,000/- (Rupees two lakhs only) as compensation for the loss, mental agony and inconvenience caused.



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For Petitioner : Mr.L.Thiyagaiya

For Respondent : Mr.A.Kumar

ORDER

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

The grievance of petitioner, who is an auction purchaser, as ventilated in this petition, is that even though auction was held in his favour and sale certificate was issued after the deposit of sale consideration, till date, possession has not been handed over.

2. On advance copy, learned counsel for the bank would submit that initially an application under Section 14 of the SARFAESI Act, 2002 was made for recovery of possession and an order was passed by the concerned Chief Judicial Magistrate, Chengalpet, but later on, the said order has been withdrawn on the ground of want of jurisdiction and thereafter, now the bank is contemplating to move an application before the jurisdictional Chief Judicial Magistrate at Tiruvallur.



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3. The Bank is directed to ensure that the application is filed within a period of 30 days from today. The concerned Chief Judicial Magistrate shall also ensure that the proceedings are drawn expeditiously and decided without granting unnecessary adjournments to any of the parties. If petitioner does not get possession in three months, he would be at liberty to revive this petition.

4. Petition is disposed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
14.08.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

The Authorised Officer
Punjab & Sind Bank
Asset Recovery Management Branch
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THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

(kpl)

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