



W.P.No.41884 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP No.41884 of 2025
and WMP No.46928 of 2025

A.Renuka
W/o.Annal,
No.5, Sri Amman Nagar 2nd Main Road,
Madhanandhapuram, Porur,
Chennai-600 116.

Petitioner(s)

Vs

1. Indian Bank
Rep by Assistant Recovery Manager,
No.812, Periyar EVR Salai, Chetpet,
Chennai-600 010.
2. The Recovery Officer
Debts Recovery Tribunal I,
Chennai.
3. The Authorised Officer and
Chief Manager,
Indian Bank-ARM Branch,
Chennai-600 008.



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4. Kamatchi Constructions
Rep ny V.Ramesh
Son of Venkateswaran
Triplicane High Road,
Chennai-600 005.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 3 to accept the mortgage amount in so far as the petitioner's land measuring an extent of 800 sq.ft. in S.No.70/2 bearing Plot No.55, Madhanadhapuram Village, Porur Shri Permampuder Taluk, Chengalpet at the rate of 400/- sq ft and return the document pertaining to the petitioner's land based on the representation dated 29.08.2025.

For Petitioner(s): Mr.M.Santhanamari

ORDER

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

The petitioner seeks intervention of this court only on the ground of sympathy, there being no legally acceptable ground to interfere with the action of the bank.

2. The chequered history of this case shows that earlier an attempt was made to challenge the sale proceedings initiated by the



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respondent bank. The petition was disposed of on 12.1.2011, where the court refused to interfere with the rate at which the bank had required the petitioner to settle the loan, if she wanted, towards release of charge over the property. It was ordered that, on payment at the rate of Rs.875/- per sq.ft., the bank shall release the charge over the plots in question and issue sale certificate in favour of the petitioner. It was further observed that in case of non-compliance, the bank would be at liberty to proceed against the property in accordance with law.

It was made clear that the court was not ready to reduce the rate of Rs.875/- per sq.ft.

The observation that in case the petitioner approaches for any sort of concession in price, the bank can sympathetically consider, appears to have been taken advantage of by keeping the matter pending for the last 14 years without making any payment at the rate specified by the bank.

3. The observation that, if the petitioner approaches the bank, the bank can sympathetically consider the same, is not a



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mandamus obliging the bank to consider any rate offered by the petitioner. The bank having not accepted the rate offered by the petitioner, the matter should have ended there and the petitioner should have paid the entire amount to save the property from being sold in auction.

Therefore, in these circumstances, no relief can be granted to the petitioner.

Writ petition is dismissed. There shall be no order as to costs. Consequently, interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
11.11.2025

Index : Yes/No
Neutral Citation : Yes/No
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To:
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THE HON'BLE CHIEF JUSTICE
AND
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