



WP No.42685 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.42685 of 2025

M.V.Moorthy

.. Petitioner

-VS-

1. ICICI Home Finance Company Ltd.,
2nd Floor, AB, 106, Old No.134, 4th Avenue,
Shanthi Colony, Anna Nagar, Chennai 600 040.

2. Baskar Palanivel

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to consider the petitioner representation dated on 10.02.2025 and handover the possession of the petitioner house situated at Selaiyur village in Survey No.153/2, Ward No.I, Block No.17, Town Survey No.50 extent of 2193 sq.feet with house Door No.19/5, Ponnamman Kovil Street, Bharathy Nagar, Tambaram, Chennai 600 073 to the petitioner until dispose of the suit in O.S.No.3/2025 pending before the Hon'ble Mahila Court at Chengalpattu.

For Petitioner : Mr.T.Aravindhan

* * * * *



WP No.42685 of 2025

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ORDER

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

The petition, if we may say so, is utterly misconceived. The petition under Article 226 of the Constitution of India has been preferred by the plaintiff when he already filed a suit seeking declaration that the sale deed is null and void.

2. The relief sought in the writ petition that during the pendency of the suit, the possession of the land should be handed over to the petitioner, is misconceived and no such direction can be given in the writ petition. It is essentially a dispute of civil nature between the petitioner and the respondents pending consideration before the Civil Court.

Petition is dismissed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, C.J.) (G.ARUL MURUGAN, J.)
13.11.2025

Index : Yes/No
Neutral Citation : Yes/No
sra



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