



W.P(MD)NO.1475 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.09.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.1475 of 2025
and
W.M.P.(MD) Nos.1047 & 10306 of 2025

K. Balakrishnan

... Petitioner

Vs

1. The Tahsildar,
Nanguneri Taluk,
Nanguneri,
Tirunelveli District.

2. The Zonal Deputy Tahsildar,
Nanguneri Taluk,
Nanguneri,
Tirunelveli District.

3. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

4. The Inspector of Police,
Eruvadi Police Station,
Eruvadi,
Tirunelveli.

5. The Authorized Officer,
UCO Bank,

1/6



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Tuticorin Branch,
Tuticorin,
Tuticorin District.

6. Muthuraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of forbearing the Respondents No.1 to 5 from dispossessing the petitioner with respect to the properties comprised in

1. Nanja Land comprised in Survey No.1292/2 measuring about 0.11.00 Hectares i.e. 27 Cents.
2. Nanja Land comprised in Survey No.1292/3 measuring about 0.10.00 Hectares i.e. 25 Cents.
3. Nanja Land comprised in Survey No.1293/2 measuring about 0.16.05 Hectares i.e. 41 Cents.
4. Nanja Land comprised in Survey No.1293/3 measuring about 0.7.50 Hectares i.e. 19 Cents.
5. Nanja Land comprised in Survey No.1318/2B2 measuring about 0.0.50 Hectares i.e. 1 Cent
6. Nanja Land comprised in Survey No.1319/2 measuring about 0.6.50 Hectares i.e. 16 Cent
7. Nanja Land comprised in Survey No.1319/3 measuring about 0.6.00 Hectares i.e. 15 Cent
8. Nanja Land comprised in Survey No.1319/4 measuring about 0.05.05 Hectares i.e. 14 cents and the well electric motor attached to the said land with electricity connection in S.C.No.96.
9. Nanja Land comprised in Survey No.1365/2 measuring about 0.20.00 Hectares i.e. 1 Cent
11. Nanja Land comprised in Survey No.1370/1B2 measuring about 0.01.00 Hectares i.e. 3 Cents.
12. Nanja Land comprised in Survey No.1395/1 measuring about 0.18.00 Hectares i.e. 45 Cents.
13. Nanja Land comprised in Survey No.1395/3A measuring about 0.20.00 Hectares i.e. 50 Cents.
14. Nanja Land comprised in Survey No.1319/5 measuring about 0.19.00



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Hectares i.e. 47 Cents.

15. Nanja Land comprised in Survey No.1365/1A measuring about 0.09.00 Hectares i.e. 22 Cents.

16. Nanja Land comprised in Survey No.1365/1B measuring about 0.09.50 Hectares i.e. 24 Cents.

17. Nanja Land comprised in Survey No.1366/2 measuring about 0.10.50 Hectares i.e. 26 Cents i.e. Total Extent of the entire properties is measuring about 4 Acres 77 Cents situated at Periyakulam Puravu, Thalapathisamuthiram Part -I, Nanguneri Taluk, Tirunelveli District not otherwise than due process of law pending the enquiry proceedings before the first respondent contemplated as per the order dated 13.12.2024 passed in W.P. (MD) No.18043 of 2024 on the file of this Court.

For Petitioner : Mr. B.Prahalad Ravi

For Respondents : Mr.B.Saravanan

Additional Government Pleader for R1 & R2
Mr.S.Prakash

Government Advocate (Crl.Side) for R3 & R4
Mr.C.Deepak for R5
Mr.C.Saravanakumar for R6

ORDER

By this Writ Petition, the petitioner seeks to prevent dispossession by the respondents 1 to 5 in respect of the properties described in the petition. By relying on the sale deed dated 18.07.2016 and patta No.1721, the petitioner asserts title in respect of the said properties.

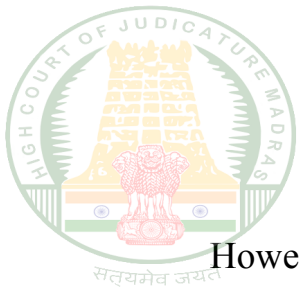


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2. Learned counsel for the petitioner submits that he has also filed a civil suit which is pending adjudication (O.S.No.179 of 2025 on the file of the Principal District Court, Tirunelveli).

3. Learned counsel for the fifth respondent/UCO Bank submits that the property had been mortgaged to the bank by the borrower K.Muthukrishnan, proprietor of M/s Unimech Industries. Upon default in repayment of the loan, proceedings were initiated before the jurisdictional Debt Recovery Tribunal in O.A.No.468 of 2013 and the bank succeeded by order dated 19.02.2019. Pursuant thereto, in recovery proceedings, learned counsel submits that vacant possession was obtained and handed over to the auction purchaser, namely, the sixth respondent.

4. The fifth respondent has placed on record the order of the Debt Recovery Tribunal. Significantly, the letter of the Advocate Commissioner in the recovery proceedings refers to taking over and handing over the vacant possession. In view thereof, this Writ Petition is infructuous and is consequently dismissed without any order as to costs.



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However, all rights and contentions of the contesting parties are kept upon in the pending civil suit. Consequently, connected miscellaneous petitions are closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd
To

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Nanguneri,
Tirunelveli District.

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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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