



WP(MD). No.8676 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 20/06/2025

CORAM

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

AND

THE HON'BLE Mrs. JUSTICE S.SRIMATHY

W.P.(MD)No.8676 of 2024

and WMP(MD) No.7932 of 2024

M.Sivaprakash
S/o.Mohan
Old.D.No.23/5 New D.No.175
Ayyampatti Main Road, Srivilliputhur
Virudhunagar District

... Petitioner

Vs

1.The Regional Director,
Reserve Bank of India,
Fort Glacis, 16 Rajaji Road,
Fort St. George, Chennai 600 001.

2.The Banking Ombudsman
C/o.Reserve Bank of India, Fort Glacis, 16 Rajaji Road,
Fort St. George, Chennai 600 001.

3.The Authorized Officer,
Tamil Nadu Mercantile Bank
South Branch, No.283 WGC Road, Thoothukudi

4.The Sub Registrar,
Kayalpatnam Sub Registrar Office,
Thoothukudi District

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to



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call for the records pertaining to the impugned order dated 13.02.2024 passed by the 2nd respondent by his proceedings in RBI/CMS/N202324023522479/2023-24, and quash the same as illegal and consequently directing the respondents 1 and 2 to give suitable direction to the 3rd respondent to return back the auction amount of Rs. 13,50,000/- to the petitioner in relating with auction conducted by the 3rd respondent dated 30.01.2023 for the immovable property in S.No. 258/1A, to an extent of 3510 Sq. ft or 8.05 cents situated in Vetrivel Nagar, Kandasampuram Village, Tiruchendhur Taluk, Thoothukudi District under SARFAESI Act, 2002 r/w Rule 8(6) and 9(1) of Security Interest (Enforcement) Rules, 2002 along with interest within time limit prescribed by this Court.

For Petitioner : Mr.S.Saravanakumar

For Respondents :Mr.K.R.Laxman for R1&R2
Mr.N.Dilipkumar for R3
Mr.D.Sasikumar for R4
Additional Government Pleader

ORDER

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

Mr.S.Saravanakumar sought leave to withdraw the petition with liberty to take appropriate steps in accordance with law.

2. Petition is dismissed as withdrawn with liberty as prayed for.

3.Mr.N.Dilip Kumar in fairness also states that the bank will co-operate with the petitioner to have the property registered in his name.



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There shall be no order as to costs. Consequently connected
Miscellaneous Petition is closed.

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

(S.SRIMATHY, J.)

20.06.2025

NCC : Yes/No
Index : Yes/No

RR

To
4.The Sub Registrar,
Kayalpatnam Sub Registrar Office,
Thoothukudi District



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THE HON'BLE CHIEF JUSTICE

AND

S.SRIMATHY, J.

RR

**ORDER
IN**

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