



W.P.(MD).No.218 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD).No.218 of 2016

V.K.Asokan

... Petitioner

Vs.

1.The Authorized Officer,
Oriental Bank of Commerce,
No.492, Jawahar Bazaar,
Karur-639 001.

2.M/s.PSG Impex,
Represented by its Partner K.Rajendran,
Gowripuram Extension,
Anna Nagar, Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing 1st respondent to forthwith execute sale deed and hand over possession of the property at New No.13, Old No.10/10A, Plot No.27D, of an extent of 2426 sq.ft. Gowripuram extension, Anna Nagar, Karur or in presence to the sale certificate dated 16.04.2013 refund the entire sale consideration of Rs.90,10,000/- together with interest at the rate of 12% per annum with effect from 05.04.2013.



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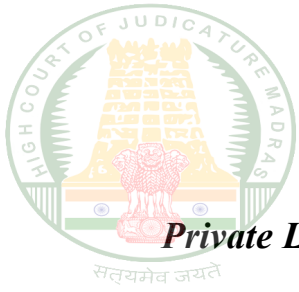
For Petitioner : Mr.C.Madhavan
For R-1 : M/s.A.Aishwarya Caroline
for Mr.Ananth C.Rajesh

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Writ of Mandamus has been instituted to direct the first respondent to forthwith execute sale deed and hand over possession of the property at New No.13, Old No.10/10A, Plot No.27D, of an extent of 2426 sq.ft. Gowripuram extension, Anna Nagar, Karur or in presence to the sale certificate dated 16.04.2013, refund the entire sale consideration of Rs.90,10,000/- together with interest at the rate of 12% per annum with effect from 05.04.2013.

2. Admittedly, the writ petitioner is a purchaser of the property through e-auction conducted by the Authorized Officer of Oriental Bank of Commerce. SARFAESI proceedings were initiated and public auction was conducted. The petitioner appears to be a third party having purchased the property auctioned under the SARFAESI Act. Any proceedings under the SARFAESI Act is not amenable to writ jurisdiction in view of the legal principles settled by the Hon'ble Supreme Court in the case of *Celir LLP Vs. Bafna Motors (Mumbai)*



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Private Limited and others reported in **(2024) 2 SCC 1**. Thus, the Writ Petition

is not maintainable and the same stands dismissed. There shall be no order as to costs.

(S.M.S.,J.) (G.A.M.,J.)
11.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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S.M.SUBRAMANIAM,J.
and
G.ARUL MURUGAN,J.

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