



WP No. 3074 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WP No. 3074 of 2026 AND

WMP NO. 3469 OF 2026

The Tamil Nadu Handicrafts Development
Corporation Limited, Poompuhar,
Rep. by its Personnel manager,
No.759, Anna Salai, Chennai-600 002.

..Petitioner

Vs

1. The Chief Manager/ Authorized officer
Indian Overseas Bank,
Asset Recovery Management Branch,
Central Office, No.763 Annasalai, 3rd Floor,
Chennai-600 002.
2. The Senior Manager
Indian Overseas Bank,
Orleanpet Branch, Swadeshi cotton mills Complex,
M.M.Adigal Salai, Puducherry-605 004.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the respondents from selling or alienating or auctioning or in any manner encumbering the property owned and possessed by the petitioner situate at Shop No.10, Ground Floor, Anna Arcade (Anna Theatre) No.152, Maraimalai Adigal Salai, Puducherry-605 001, Comprised in Re Survey No.87/24 part, Town Survey No.131, Paimash No.138/1, Cadastre No.223 part, Ward G, Block No.11, Pudupalayam Revenue Village, Mudalaiarpet firka, Pondicherry Taluk,



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Undivided land Share measuring 1.999 percent out of 1840 sq.mtrs, shop building measuring 960 sq.ft (Carpet Area).

For Petitioner : Mr.S.Senthilnathan

For Respondents : Mr.P.V.Muralidharan

Order
(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for herein is for a Writ of Mandamus forbearing the respondents from selling or alienating or auctioning or in any manner encumbering the property owned and possessed by the petitioner situate at Shop No.10, Ground Floor, Anna Arcade (Anna Theatre) No.152, Maraimalai Adigal Salai, Puducherry-605 001, Comprised in Re Survey No.87/24 part, Town Survey No.131, Paimash No.138/1, Cadastre No.223 part, Ward G, Block No.11, Pudupalayam Revenue Village, Mudalaiarpet firka, Pondicherry Taluk, Undivided land Share measuring 1.999 percent out of 1840 sq.mtrs, shop building measuring 960 sq.ft (Carpet Area).

2. The property that has been mentioned in the prayer belongs to the petitioner, which has been purchased from the original owner one Subramanian. He is the owner of the entire building, out of which Shop No.10 alone has been purchased by way of a sale deed by the petitioner.

3. When that being so, since the other portions of the building seems to have been mortgaged to the respondent bank, by invoking the provisions of the SARFAESI



Act, the respondent bank issued a sale notification for e-auction on 24.12.2025, whereby the e-auction was fixed to be held on 24.12.2025. In fact, on that date the auction did not take place.

4. Be that as it may. In the said auction notification dated 24.12.2025, the description of the property in Item No.2 has been mentioned that as the entire property consisting of 17 Ares 66 Centiares equal to 19019 Sq.ft together with buildings and fixtures thereon situated at Door Nos.152 and 154, Maraimalaiadigal Salai, Orleanpet, Pudupalayam Revenue Village, Mudaliarpet Commune, Puducherry Municipality, Puducherry, wherein a small portion ie., Shop No.10 belongs to the petitioner.

5. Learned counsel for the respondent bank Mr.P.V.Muralidharan, after getting instructions would give a clarification stating that the property sought to be auctioned is only the other properties excluding Shop No.10 belongs to the petitioner to the extent of 960 Sq.ft and this has been specifically mentioned not in the notification but in other documents.

6. Be that as it may. If it is not the intention of the respondent bank to include the property of the petitioner ie., Shop No.10 to the extent of 960 Sq.ft also in the proposed auction, there could be no apprehension on the part of the petitioner. Anyhow, only on the basis of the apprehension on seeing the notification



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dated 24.12.2025 since the petitioner has moved the present writ petition, we, after hearing both sides, are inclined to dispose of this writ petition with the following order.

(a) In future if the respondent bank wants to issue any sale notification either by way of e-auction or any other mode of auction in respect of the property, a clear demarcation of the petitioner's property must be noted in the notification itself that the entire building at Door Nos.152 and 154, Maraimalaiadigal Salai, Orleanpet, Pudupalayam Revenue Village, Mudaliarpeta Commune, Puducherry Municipality, Puducherry excluding the property of petitioner ie., Shop No.10 to the extent of 960 Sq.ft.

(b) Such a detailed clarification must be provided in the schedule to be appended to the notification, which shall be issued in future by the respondent bank for further e-auction.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (S.S.A.,J.)
11-02-2026

Neutral Citation: Yes/No
KST



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To
WEB COPY

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