



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 16509 of 2022
AND WMP NO. 15804 OF 2022**

Harigovindan
S/o.Chinnasami, North Street,
Patteeswaram, C.N.Palayam Post,
Cuddalore Taluk, Cuddalore District.

Petitioner(s)

Vs

1. The Regional Manager
Indian Overseas Bank, Mount Road,
Chennai.

2.The Divisional Manager
Indian Overseas Bank, Puducherry.

3.The Authorised Officer
Indian Overseas Bank, Naduveerapattu
and Post, Cuddalore Taluk, Cuddalore
District.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from bringing up for auction of any property other than the property which is the subject-matter of the Memorandum of Deposit of Title Deeds dated 29.11.2013 executed by Mr.A.Selvarangam, son of Mr.Harigovindan, in favour of Indian Overseas Bank, registered as document No.3119 / 2013 with the Sub-Registrar, Nellikuppam

For Petitioner(s): Mr.D.Baskar

For Respondent(s): No Appearance



ORDER

WEB COPY This writ petition has been filed to restrain the respondents from bringing up for auction of any property other than the property which is the subject-matter of the Memorandum of Deposit of Title Deeds dated 29.11.2013 executed by Mr.A.Selvarangam.

2. The learned counsel for the petitioner would submit that in this case, the petitioner's son had borrowed money from the respondent-bank by mortgaging the title deed. Due to default on the part of the petitioner's son, the respondent had affixed the auction notice in the petitioner's house, which is no way connected with the petitioner's son. Hence, this petition.

3. After filing of this petition, notice was ordered and even the names of the respondents are printed in the cause list. In spite of the same, none appeared for respondents. Therefore, this Court is inclined to pass orders, on merits, considering the petitioner's submission.

4. Heard the learned counsel for the petitioner and also perused the entire materials available on record.



5. In the case on hand, as rightly contended by the petitioner, if there is any default on the part of the petitioner's son, certainly, the respondent can bring his share of property for sale by way of auction. However, the auction notice cannot be affixed in the petitioner's property, which is no way connected with the petitioner's son.

6. In view of the above, this Court directs the respondent not to affix any of the auction notice in any property other than the property, which is the subject matter of the Memorandum of Deposits of Title deeds dated 29.11.2013, executed by the petitioner's son.

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

11-03-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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KRISHNAN RAMASAMY J.
nsa

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