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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.45500 of 2026

Case QR

CNR:{HCMA012312712026}
&
W.M.P.Nos.51067, 51070, 51072 & 51075 of 2026

1. M/s.JK Foundation,
   Represented by its Sole Proprietrix,
   S.Akshaya,
   Flat No.2, Old No.114, New No.20,
   T.P.Koil Street, Triplicane
   Chennai – 600 005.

2. S.Akshaya
   W/o. K.Suresh
   Flat No.2, Old No.114, New No.20,
   T.P.Koil Street, Triplicane
   Chennai – 600 005.

3. K.Suresh,
   S/o.K.Krishnaswamy,
   Flat No.2, Old No.114, New No.20,
   T.P.Koil Street, Triplicane
   Chennai – 600 005.

Petitioner(s)

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Vs

1. Indian Bank,
   Represented by its Authorised Officer,
   Stressed Assets Management Branch,
   No.55, Ethiraj Salai, Wellington Estate,
   2nd Floor, Egmore,
   Chennai - 600 008.

2. The Chief Manager,
   Indian Bank,
   Stressed Assets Management Branch,
   No.55, Ethiraj Salai, Wellington Estate,
   2nd Floor, Egmore,
   Chennai - 600 008.

Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Certiorarified Mandamus to call for the records relating to the e-auction proceedings in sale notice dated 20.08.2026 and quash same consequently the said auction sale as being illegal, arbitrary, unreasonable and contrary to law.

For Petitioner(s): M/s.Sinduja.Y

ORDER
(Order of the Court was made by
G.Arul Murugan, J)

The writ petition is filed assailing the auction sale notice dated 20.08.2026 and seeking a direction to consider the OTS proposal submitted by petitioner.

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2. Heard the learned counsel for petitioner and perused the materials on record.

3. At the outset, the challenge made to the sale notice dated 20.08.2026 is rendered infructuous, as, the sale which has been fixed on 09.09.2026 is already over.

4. The further relief of direction to consider the OTS settlement is not maintainable in view of the settled proposition by the Hon'ble Supreme Court in ***Bijnor Urban Cooperative Bank Limited, Bijnor and another v. Meenal Agarwal and others***[1] that no writ of mandamus can be issued by the High Court in exercise of powers under Article 226 of the Constitution of India directing a financial institution and/or bank to positively grant the benefit of OTS to a borrower.

5. In view of the aforesaid, we do not find any merit in

[1](2023) 2 SCC 805

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the writ petition. Accordingly, the writ petition stands dismissed. Consequently, the interim applications are also dismissed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
17.11.2026

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(kpl)

W.P.No.45500 of 2026

17.11.2026

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