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W.P.(MD) No.2208 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.P.(MD) No.2208 of 2026
and
W.M.P.(MD) No.1731 of 2026**

A.Rajasekharan

... Petitioner

-vs-

- 1.Indian Overseas Bank
rep.through its Chief Manager
No.124-B, Trivandrum Road
Palayamkottai, Tirunelveli-627 002
- 2.M/s.N K M Industries
rep.through its partners
1/295, Uchimahali Ammankoil Street
Tharuvai Post, Palayankottai Taluk
Tirunelveli-627 356
- 3.Kalyanasundaram
- 4.N.Mahalingam

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the Presiding Officer, Debt Recovery Tribunal, Madurai, to entertain the application filed by the petitioner for impleading the petitioner in the above O.A.No.188 of 2010, on the file of Debt Recovery Tribunal, Madurai.

For Petitioner : Ms.R.Thenmozhi

For Respondents : Mr.N.Dilip Kumar for R1

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

This writ petition has been filed seeking a writ of mandamus directing the Presiding Officer, Debts Recovery Tribunal, Madurai, to entertain the impleading application filed by the petitioner in O.A.No.188 of 2010.

2. From the records furnished as typed set of papers, we find that the original application in O.A.No.188 of 2010, wherein the petitioner wants to get himself impleaded, has been disposed of by the Debts Recovery Tribunal, on 03.02.2025 itself. Whereas, the affidavit filed in support of the impleading application indicates that it was sworn by him only on 26.12.2025 i.e., nearly



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ten months after the disposal of O.A.No.188 of 2010. Therefore, Court cannot issue any mandamus to entertain the impleading application in the original application, which has already been disposed of.

3. That apart, from the facts narrated in the affidavit filed in support of this writ petition, this Court finds that the petitioner herein claims ownership over the property, which is now the subject matter of O.A.No.188 of 2010 and has been attached pursuant to the order passed by the Debts Recovery Tribunal. Claiming ownership over the subject property, the petitioner herein had earlier filed a suit in O.S.No.141 of 2013, on the file of the District Munsif Court, Nanguneri, seeking declaration and permanent injunction and the said suit was dismissed for default on 13.02.2018. Till date, the said suit has not been restored on file, though an application along with condone delay petition has been filed by the petitioner herein to restore the said suit on file. In such circumstances, we are of the view that the petitioner herein has no locus to interfere with the original application, which has already been disposed of. Since the petitioner has no right to seek any relief in the impleading application, this writ of mandamus is not maintainable.



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4. With the above observations, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.J., J.]

[K.K.R.K., J.]

29.01.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:
The Presiding Officer,
Debts Recovery Tribunal,
Madurai.



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DR.G.JAYACHANDRAN, J.
AND
K.K.RAMAKRISHNAN, J.

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and
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