



WEB COPY

WP No. 5564 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 5564 of 2026
and W.M.P.No.6037 of 2026**

M.Ganesh Kumar

..Petitioner(s)

Vs

1. The Secretary to Governemnt,
Revenue Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Commissioner of Revenue Administration,
Revenue Department,
Ezhilagam, 3rd Floor, 'Kamarajar Salai,
Chepauk, Chennai -600 005.
3. The Collector,
Chennai Collectorate,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai-600 001.
4. The District Revenue Officer,
Singaravelar Maaligai,
4th Floor, Collectoors office,
No.62, Rajaji Salai,
Chennai-600 001.
5. Sabari Rajan,
6. Harish Marlecha

..Respondent(s)



Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the Sale Certificate dated 14.01.2026 registered under Document No.201 of 2026 on the file of SRO, Purasawalkam issued infavour of the 6th respondent and quash the same as illegal, arbitrary, incompetent and ultravires and consequently directing the respondents 1 to 3 to take appropriate action against the 4th respondent by considering petitioner's representation dated 24.01.2026 and consequently direct the respondents to conduct re-auction.

For Petitioner(s): **M/s.C.S.Srinivasan**

For Respondent(s): Mr.S.Balamurugan, Government Advocate
for RR-1 to 4

Mr.B.A.Sujay Prasanna for R-5

Mr.N.R.Elango, Senior Counsel
for M/s.L.P.Maurya for R-6

ORDER

The present Writ Petition has been filed challenging the sale certificate dated 14.01.2026 issued in favour of the 6th respondent with respect to the property comprised in Survey No.3122/1 & 2 (as per G.O.Ms.637), Survey No.3122/23 (as per Online Patta) at No.12, Barnaby Road, Kilpauk, Chennai-600 010 pursuant to the Public Auction conducted by the 4th respondent despite the fact that the 5th respondent was declared as the highest bidder with the bid amount of Rs.9,30,04,722/- and the petitioner as the second highest bidder with the bid amount of Rs.9,25,00,000/-.



2. Learned Counsel appearing for the petitioner submitted that the petitioner, being the second highest bidder, was assured by the 4th respondent that he would be called upon to remit 25% of the bid amount, if the 5th respondent had failed to do so. However, without giving any opportunity to the petitioner, the sale certificate has been issued in favour of the 6th respondent who had not even participated in the auction and therefore, the said act of the 4th respondent is wholly arbitrary and illegal the same warrants interference. Accordingly, he prayed for allowing the Writ Petition.

3. The issue involved in the present Writ Petition pertains to the conduct of the auction and the issuance of sale certificate which being a disputed question of fact, this Court, sitting under Article 226 of the Indian Constitution, cannot decide the same. Hence, the prayer sought for in this petition cannot be granted. The proper course open for the petitioner would be to approach the competent Civil Court. Hence, this Court, without interfering with the impugned sale certificate, is inclined to grant liberty to the petitioner to approach the competent Civil Court.

4. Accordingly, this Writ Petition is dismissed with the aforesaid liberty. No Costs. Consequently, the connected Miscellaneous Petition is closed.

21-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

NHS



M.DHANDAPANI, J.

NHS

To,
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