



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 19169 of 2024

D.Hazarathaiah

..Petitioner(s)

Vs

1.Union Bank Of India
(formerly Andhra Bank) Red Hills Branch Rep Its
Bank Manager No 1/990 I Floor Skls Shopping
Complex, By Pass Road, GNT Road, Red Hills
Chennai - 600 052.

2.Margadarasi Chits Private Limited
No.6, Indian Chamber Building
III Floor, Esplanade
Chennai-600 108.

*(R-2 impleaded vide order dated 08.04.2026
in W.M.P.No.2978 of 2026)*

..Respondent(s)

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to disburse the remaining amount out of the auction of the property situated at Plot No 18, west part, Swamy Nagar, Survey Number 1395/13, Madhavaram Village, Ambattur Taluk, Tiruvallur District, measuring an extent of 1200 sq ft to the petitioner as per the order of Hon'ble High Court in W.P.No.7915 of 2020 dated 06.02.2023 and based on the representation of the petitioner dated 03.04.2024.

For Petitioner(s): Mr.G.Madhan Raj

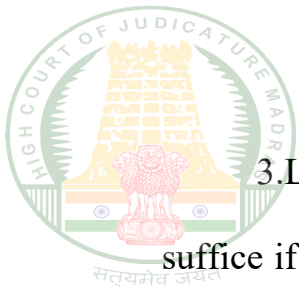
For Respondent(s): Mr.G.V.Anjaneyar Babu



ORDER

The present Writ Petition has been filed seeking a direction to the respondent to disburse the remaining amount out of the auction of the property situated at Plot No 18, west part, Swamy Nagar, Survey Number 1395/13, Madhavaram Village, Ambattur Taluk, Tiruvallur District, measuring an extent of 1200 sq ft to the petitioner as per the order of Hon'ble High Court in W.P.No.7915 of 2020 dated 06.02.2023 and based on the representation of the petitioner dated 03.04.2024.

2. It is the case of the petitioner that he availed loan from the erstwhile Andhra Bank which has now been merged with the respondent bank by mortgaging the petition mentioned property. Due to default in repayment of the loan amount, the said property was brought to an auction and the remaining amount of Rs.20,89,387.76/- out of the sale proceeds is lying with the 1st respondent. Therefore, in this regard, the petitioner submitted a representation dated 03.04.2024 seeking disbursement of the remaining amount in favour of the petitioner which did not evoke any response from the respondent and therefore, in order to espouse the said cause, the petitioner has come forward with the present Writ Petition.



3. Learned counsel appearing for the petitioner submitted that it would suffice if this Court issues a direction to consider the petitioner's representation dated 03.04.2024 and pass appropriate orders in accordance with law within the time that may be stipulated by this Court.

4. Learned counsel appearing for the 2nd respondent Chit Company submitted that the petitioner, being the subscriber under the 2nd respondent Chit Company, had defaulted in payment of the chit amounts. Consequently, proceedings were initiated against the petitioner before the Arbitrator for Chit Fund Cases, Central Chennai District in A.R.C.Nos.25 & 638 of 2018 for recovery of chit amounts due and payable by him and an ex-parte awards came to be passed in both the cases. Orders of attachment was also issued in respect of the petition-mentioned property. Subsequently, the 2nd respondent filed E.P.No.514 of 2024 before the IX Additional City Civil Court, Chennai which was later transferred to the file of the IV Additional city civil court and re-numbered as E.P.No.104 of 2024. However, suppressing the above facts, the petitioner has approached this Court by filing the present Writ Petition. He further submitted that, in view of the subsequent development, this Court may issue a direction to the 1st respondent to deposit the entire amount to the credit of the E.P.No.104 of 2024 on the file of the IV Additional City Civil Court to which, the learned counsel appearing for the respondents has no serious objection.



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5. In view of the above subsequent development, this Court, without expressing any opinion on the merits of the case, directs the 1st respondent to deposit the remaining amount of Rs.20,89,387.76/- to the credit of the E.P.No.104 of 2024 on the file of the IX Additional City Civil Court, Ponneri within a period of four weeks from the date of receipt of a copy of this order. However, liberty is granted to the petitioner as well as the 2nd respondent to adjudicate the aforesaid issue before the court concerned where the Execution Petition is pending.

6. The Writ Petition stands disposed of in the above terms. There shall be no order as to costs.

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

08-04-2026
(2/2)



To

Union Bank Of India
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Rep Its Bank Manager,
No 1/990 I Floor Skls Shopping Complex,
By Pass Road, GNT Road,
Red Hills Chennai - 600 052.



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M.DHANDAPANI, J.

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(2/2)**