

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO.36907 OF 2017

ORDER: {Per the Hon'ble Sri Justice Ramesh Ranganathan}

The petitioner herein is an auction purchaser. He has invoked the jurisdiction of this Court seeking a mandamus to direct the respondent-Bank to register the sale certificate; and to hand over vacant and physical possession of the subject premises, as also the original title deeds and link documents.

Sri Murlinarayan Bung, learned counsel for the petitioner, would submit that the borrower had, thereafter, invoked the jurisdiction of the Debt Recovery Tribunal (DRT) questioning the sale; and, since the auction purchaser has been arrayed as a respondent therein, it would suffice if this Court were to grant liberty to the petitioner herein to agitate his grievance before the DRT.

While we see no reason to entertain this Writ Petition, suffice it to make it clear that all such contentions, as are available to the petitioner herein in law including those which have been urged in this Writ Petition, are left open to be urged by the petitioner before the DRT.

Subject to the aforesaid observations, the Writ Petition fails and is, accordingly, dismissed. There shall be

no order as to costs. Miscellaneous petitions, if any,
pending shall stand dismissed.

(RAMESH RANGANATHAN, J)

(KONGARA VIJAYA LAKSHMI, J)

16th August 2018
RRB

