



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.25515 of 2019

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A.Ulaganathan

... Petitioner

vs.

The Branch Manager,
Canara Bank
Ramanathapuram Branch
Ramanathapuram District.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus, directing the respondent to issue the petitioner the bonafide certificate in respect of his document No.577 of 2010, which is under the custody of the respondent and to enable the petitioner to register a partition deed by considering his representation dated 06.11.2019.

For Petitioner : Mr.M.Solaisamy

For Respondents : Mr.N.Dilip Kumar

O R D E R

Mr.N.Dilip Kumar, learned Counsel takes notice on behalf of the respondent.

2.By consent of both sides, this writ petition itself is taken up for final disposal.

3.The petitioner has approached this Court for grant of bonafide certificate from the respondent Bank in respect of his document No.577 of 2010, which is under the custody of the respondent and to enable him to register a partition deed by considering his representation dated 06.11.2019.

4.Admittedly, the SARFAESI proceedings has been initiated by the respondent Bank and the matter has been seized off by the Debt Recovery Tribunal. When the matter is sub-judice before the Tribunal, it is always open to the petitioner to approach the Debt Recovery Tribunal.



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5.In view of the bar of jurisdiction, the present writ petition is not maintainable. Accordingly, the same is dismissed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-102921[F] dated 02/12/2019)

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