



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **14.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **N. KIRUBAKARAN**

and

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

W.P. (MD)No.14404 of 2020

and

W.M.P. (MD)Nos.12051 and 12052 of 2020

Prem Ananth

... Petitioner

versus

1. The Regional Manager,
Canara Bank,
Tirunelveli.

2. The General Manager,
Canara Bank,
Head Office,
Bangalore.

3. The Reserve Bank of India,
Kamarajar Salai,
Chennai.

4. The Branch Manager,
Canara Bank,
Rettas Convent Branch,
Ramanpudur, Nagercoil-2,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Certiorarified Mandamus, to call for the records relating to the impugned Auction sale notice dated 06.10.2020 and published the daily Thina Thanthi on 07.10.2020, quash the same and consequently, direct the respondents to return the mortgaged original documents in [Old S.No.1883], Re.S.No.N3/10-3A, to an extent of 10 cents, situated at Nagercoil Village, Agateeswaram Taluk, Kanyakumari District.

For Petitioner : Mr.T.Selvakumaran
For Respondents : Mr.N.Dilipkumar

ORDER

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

The petitioner has come before this Court challenging the auction notice dated 06.10.2020, by which, the second respondent Bank has brought his property for sale, as he has failed to repay

the loan amount.

2. After declaring the petitioner's account as NPA (Non Performing Assets), steps have been taken as per the SARFAESI Act. Moreover, there is an alternative remedy available to the petitioner before the Debt Recovery Tribunal or to approach the Bank Authorities for settlement.

3. In view of the above, the writ petition is not maintainable. Accordingly, the same is dismissed. No costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Regional Manager,
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+1 CC to M/s.N. DILIPKUMAR, Advocate (SR-20188[F] dated 15/10/2020)

W.P. (MD) No.14404 of 2020

14.10.2020

AP (28.10.2020) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>