



W.P.(MD) No.7261 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD) No.7261 of 2023
and
W.M.P.(MD) No.6852 of 2023

P.Saravanakumar

... Petitioner

-VS-

1.The Authorised Officer
Canara Bank
Tallakulam Branch
Madurai-625 002

2.V.Ganesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent not to confirm the sale held on 28.02.2023 in favour of the second respondent with regard to the petitioner's property situated at Plot No.58, R.S.No.73/2B, Ward No.3, Madurai.



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For Petitioner : Mr.M.Mohamed Sherbudeen

For Respondent : Mr.Madan Alexander
Standing Counsel for R1

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer in this writ petition amounts to making this Court as Stenographer to the Debts Recovery Tribunal.

2. Admittedly, the petitioner has challenged the sale before the Debts Recovery Tribunal, Madurai. It is open to the petitioner to seek whatever interim orders he wants before the Debts Recovery Tribunal. When the main proceedings are pending before the Debts Recovery Tribunal, a mandamus, which will serve as an interim order, cannot be issued. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

31.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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