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W.P.(MD) No.17587 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD) No.17587 of 2023
and
W.M.P.(MD) Nos.14679 & 14681 of 2023**

S.Balakrishnan

... Petitioner

-VS-

1.Authorized Officer
Canara Bank
Moolakaraipatti Branch
Tirunelveli-627 355

2.Authorized Officer
Canara Bank
Regional Office
Tirunelveli-627 007

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents from in any manner proceeding with registration of sale certificate of the secured assets of the



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petitioner, which are hypothecated with the first respondent Bank on the basis of Sale Notice issued by the first respondent vide proceedings in Ref:SN/Balakrishnan/MSME/0965768000466, dated 28.04.2023

For Petitioner : Mr.P.Paranthaman

For Respondents : Mr.P.Madhan Alexander

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

The petitioner has filed this writ petition for issuance of a writ of mandamus forbearing the respondents from in any manner proceeding with registration of the sale certificate, which is now issued to the auction purchaser.

2. Having regard to the stage at which the petitioner has filed this writ petition, this Court finds that this Court cannot entertain a writ petition of this nature as the petitioner has an effective alternative remedy of approaching the Debts Recovery Tribunal.



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3. Hence, this writ petition is dismissed with liberty to the petitioner to approach the Debts Recovery Tribunal for availing the alternative remedy. No costs. Consequently, connected miscellaneous petitions are closed.

[S.S.S.R., J.]

[D.B.C., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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