



WA.No.2678 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM:

THE HONOURABLE Mr.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**

WA.No.2678 of 2024
and
CMP.No.19374 of 2024

Mrs.R.Bhuvaneshwari

... Appellant

-Vs-

1. M/s.Canara Bank,
Represented by its Authorized Officer,
No.5/4, 1st Floor, RVR Building,
Head Quarters Road,
Coimbatore-641 018.
2. The Sub-Registrar,
Office of the Sub-Registrar,
Ganapathy,
Saravanampatti,
Coimbatore.
3. Mr.V.Arun

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
praying to set aside the impugned order dated 03.07.2024 in
WP.No.34825 of 2024.



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For Appellant : Mr.Velayutham Pichaiya

For Respondents : Mr.WA.Abdul Wahab for R1
Mr.P.Balathandayutham
Additional Government Pleader for R2
Mr.V.Janarthanan for R3

J U D G M E N T

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

The appellant claims to be aggrieved by the order in WP.No.34825 of 2023. The prayer in the writ petition was for a declaration to declare all actions initiated by the first respondent-Bank against the petitioner in her capacity as a Guarantor for a loan borrowed by one M/s.Ganesh Builders. Such a prayer, in our considered opinion cannot be granted at all, as it would amount to prohibiting the Bank from exercising the statutory powers conferred on it. The learned Single Judge has rightly dismissed the writ petition. We do not see any reason to entertain the appeal.



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2. Accordingly, this Writ Appeal is dismissed. It is stated that the Securitization appeals filed by the appellant are pending before the DRT. It is open to the petitioner to pursue the same to its logical conclusion. No costs. Consequently, connected CMP is also closed.

[R.S.M., J] [C.K., J]
09.01.2025

Index : No

Internet: Yes

Speaking Order

NCC : No

kmi

To

1. The Sub-Registrar,
Office of the Sub-Registrar,
Ganapathy,
Saravanampatti,
Coimbatore.



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