



W.P.No.45036 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.45036 of 2025

&

W.M.P.No.50186 of 2025

N. Ganesan

..

Petitioner

Vs.

1. R.Shanmugasundaram
2. The Canara Bank
Represented by its Branch Manager
Salem Fort Main Branch
Salem .
3. M/s. ALA Apparel
Represented by its Partners
Tirupur No. 12, Surya Garden
Chandrapuram, Pudur Pirivu
Dharapuram Road
Tirupur 641 604.
4. S.Thenmozhi
5. Jeevitha Prabhakaran
6. R.Rajesh Kannan
7. S. Senthilraj



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8. M/s. Naina Agro Venture
Represented by its Partners
D. No.2/2, Attur Main Road
Masinaickenpatti
Ayothiyapattinam
Salem 636 103.

9. Santhosh Kumar,

10.Radhakrishnan @ Udhay,

11.The Sub Registrar
Suramangalam
Subramaniam Nagar
Ammapalayam Main Road
Suramangalam
Salem- 636 302.

12.Muthulakshmi

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus to direct the respondent 1, 2 & 12 from taking any action based on the letter issued by the 12th respondent/advocate commissioner dated 13.11.2025 calling upon the petitioner to vacate and handing over the vacant possession of the petitioner's property morefully described in the schedule hereunder by 18.11.2025 or immediately thereafter.

For Petitioner : Mr.Ravi Raja B

For Respondents : Mr.R.Sreedhar
for Respondent-2



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Mr.K.Karthik Jagannath
Government Advocate
for Respondent-11

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

Petitioner seeks a direction against the implementation of the order passed by the Chief Judicial Magistrate, in compliance of which, a letter has been issued to petitioner by Advocate Commissioner on 13.11.2025.

2. Petitioner's remedy lies only before the Debts Recovery Tribunal either in the matter of challenge to possession order or to seek appropriate relief in the pending suit filed by bank. It is stated that petitioner has also filed a suit.

3. Petition is misconceived and therefore, it is dismissed, leaving all the remedies open to petitioner in the matter of challenge to possession order passed by the Chief Judicial



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Magistrate, in the pending suit. There shall be no order as to costs. Consequently, the interim application is also dismissed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
21.11.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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Salem .
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Suramangalam
Subramaniam Nagar
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(kpl)

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