



W.P.(MD)No.35004 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.12.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.P.(MD)No.35004 of 2025
and
W.M.P.(MD)Nos.27694, 27695 and 27696 of 2025

G.Muralidharan

... Petitioner

Vs.

The Authorized Officer,
Tamil Nadu Mercantile Bank Limited,
Thuckalay Branch
No.20/32-A, Main Road,
Benic Mansion, Thuckalay,
Kanniyakumari District.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified, calling for the records relating to the impugned order passed by the learned Chief Judicial Magistrate, Kanniyakumari District, at Nagercoil, in Criminal Miscellaneous Petition No.2737 of 2025 dated 31.10.2015.

For Petitioner : Mr.T.Cibichakraborty

For Respondent : Mr.R.M.Ajay Parthiban



WEB COPY (Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

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pending before the Debt Recovery Tribunal in S.C.No.843 of 2025.

While so, the petitioner ought to have approached the Debt Recovery Tribunal for any remedy whatsoever, in spite of approaching the High Court by filing the writ petition, which is not maintainable.

4.This Court, after perusing the statement of account and the counter affidavit filed on behalf of the respondent Bank, is of the view that the remedy for the petitioner lies before the DRT in SC No.843 of 2024 is pending. However, since the Chief Judicial Magistrate, Kanniyakumari has passed an order for taking possession under Section 14 of the SARFAESI Act, we restrain the Bank Authorities from proceeding with that order till the disposal of the S.C.No.843 of 2025.

5.With this observation, this Writ Petition stands disposed of. No order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] & [K.K.R.K., J.]
11.12.2025

Index :Yes/No
Internet :Yes
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