



WEB COPY



W.P.No.29504 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.29504 of 2023

West Coast Engineering Corporation
Rep by Legal Heir P.R. Manoj
S.F. No. 491/3 Nallampalayam
Maniyakarampalayam Road
Ganapathy Post
Coimbatore - 641 006.

Petitioner(s)

Vs

1. The Presiding Officer
Debts Recovery Tribunal
Coimbatore, 2nd and 3rd Floors
Jawan's Bhavan, 27, T.B. Road
Coimbatore 641 018.

2. The Authorised Officer
Canara Bank
25/A, Marutham Towers
Indira Nagar, MTP Road
Kavundampalayam Branch
Coimbatore - 641 030.

Respondent(s)



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Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Declaration that Securitisation Appeal could be filed relating to a loan transaction and the fee shall be based on the claim made in the Sale 13(2) Demand Notice after deducting the repayments or recoveries made prior to filing and consequently declare that any subsequent measures taken by the Respondent Bank will attract a fee of only Rs.200/- to challenge the subsequent measures by way of an IA or MA as the case may be.

For Petitioner(s): Mr.R.Dinesh
For Mr.G.Ilamurugu

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

This petition has been filed under Article 226 of the Constitution of India seeking a declaration that Securitisation Appeal could be filed relating to a loan transaction and the fee shall be based on the claim made in the Sale 13(2) Demand Notice after deducting the repayments or recoveries made prior to filing and consequently declare that any subsequent measures taken by respondent bank will attract a fee of only Rs.200/- to challenge the subsequent measures by way of an IA or MA as the case may be.



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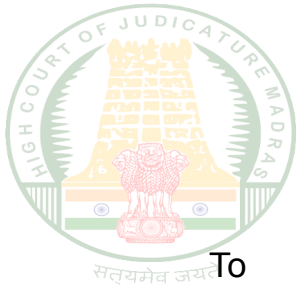
2. The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 itself prescribes the scheduled fees. Therefore, the prayer as such cannot be entertained. Any application filed by any person would be subject to payment of court fees as provided under the Act. Accordingly, the relief prayed for cannot be granted.

3. The writ petition is dismissed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
18.06.2026

Index : Yes/No
Neutral Citation : Yes/No

kpl



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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