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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**

AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.9278 of 2025

and

W.M.P.(MD)Nos.6938, 6939 & 6941 of 2025 and 6567 of 2026

M/s.DRS Aqua Products,
Rep.by its Proprietor,
D.Ramasubramanian,
225/3, Sanganathiyanvalasai Mandapam Block,
Pattinamkathan, Nainmaraikan Post,
Ramanathapuram District-523 523. ... Petitioner

Vs.

1.The Authorized Officer/The Branch Manager,
Canara Bank,
Office at Mohammed Sathak Center,
No.12 A G H Road, Ramanathapuram,
Ramanathapuram District.

2.Gopalsamy ...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Sale Notice issued by the 1st respondent Bank Vide Proceedings in Ref. CB2808/SALENOTICE/06/2023 dated 02.01.2024, and the impugned Sale Deed in Document No. 4925 of 2024



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dated 19.07.2024 in favor of the 2nd respondent Thiru.Gopalsamy and the impugned order passed by the Chief Judicial Magistrate, Ramanathapuram, CrI.M.P.No. 9564 of 2024 in Cr.M.P.No. 3019 of 2023 dated 28.02.2025 and the consequential impugned proceedings of the 1st respondent bank in Ref. No. 2808/2025/1 dated 20.03.2025 and all other consequential proceedings thereof, quash the same, and further direct the first respondent bank to restore the title and possession of the petitioner's house property measuring 3.60 cents in Town Survey No.75/2 at Pulikkara Street, Ramanathapuram Town, Ramanathapuram District in favour of the petitioner within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.K.Ragatheesh Kumar
For Respondents : Mr.V.Balasubramanian (R1)
Standing Counsel
Mr.A.Ramesh (R2)

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the impugned proceedings under provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'the Act'), the petitioner has filed the present Writ Petition.



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2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. At the outset, this Court is of the view that the Writ Petition is not maintainable, since the petitioner has an effective alternative remedy before the Debts Recovery Tribunal as against the order passed under Section 14 of the Act.

4. The learned Standing Counsel appearing for the first respondent submitted that the petitioner has already challenged the impugned proceedings under the SARFEASI Act before the Debts Recovery Tribunal, Madurai, by filing S.A.No.SR 6647 of 2024 of 2026, which is pending.

5. In such circumstances, having already invoked the alternative statutory remedy before the Debts Recovery Tribunal, the petitioner is not entitled to simultaneously pursue the present writ petition before this Court on the very same cause of action.



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6. In such view of the matter, this Court is not inclined to entertain the present Writ Petition. Accordingly, the Writ Petition is dismissed. The petitioner shall redress its grievances in the manner known to law before the Debts Recovery Tribunal. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
02.04.2026

Index :Yes/No

Internet :Yes

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To

The Authorized Officer/The Branch Manager,
Canara Bank,
Office at Mohammed Sathak Center,
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Ramanathapuram District.



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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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