



C.R.P(MD). No.1246 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02.06.2026

CORAM:

**THE HONOURABLE MR JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR JUSTICE K.K.RAMAKRISHNAN**

**C.R.P(MD). No.1246 of 2026
and
C.M.P(MD) Nos.5945 and 5947 of 2026**

C.Cycil

... Petitioner

Vs

1.Canara Bank,
Thisayanvilai Branch,
Tirunelveli District,
Through its Branch Manager.

... 1st Respondent

2.S.Shunmugam

...2nd Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order passed in M.A.No.218 of 2023 in RC No.49 of 2021, dated 03.03.2026 on the file of the Recovery Officer (DRT), Madurai and allow the Civil Revision Petition.

For Petitioner : Mr.P.Thirumahilmaran



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ORDER

This matter has been listed under the caption for "maintainability" by the Registry.

2. The petitioner, who was the defendant before the Debt Recovery Tribunal, Madurai, has filed the Civil Revision Petition under Article 227 of the Constitution of India, challenging the order passed by the Recovery Officer (DRT), Madurai, dated 03.03.2026, dismissing the petition filed in MA.No.218 of 2023 in RC No.49 of 2021 questioning the auction sale.

3. The Registry has raised an objection mainly on the ground that there is an efficacious alternative remedy available to the petitioner before the Debt Recovery Tribunal and hence, the Civil Revision Petition cannot be maintained before this Court under Article 227 of the Constitution of India.



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4. The learned counsel for the petitioner, by placing reliance upon various judgments, submitted that the restrictions in invoking the jurisdiction under Article 226 and Article 227 of the Constitution of India are only self-imposed and it is not an absolute bar for this Court to entertain this Civil Revision Petition.

5. In our considered view, the Apex Court is repeatedly holding that the High Courts must lay off their hands while dealing with issues under the Recovery of Debts and Bankruptcy Act, 1993 / SARFAESI Act, more particularly when an efficacious alternative remedy is available. Therefore, if the present Civil Revision Petition is entertained, this Court has to necessarily go into the merits of the findings rendered by the Tribunal. When an efficacious alternative remedy is available to the petitioner, this Court cannot entertain this Civil Revision Petition under Article 227 of the Constitution of India. Therefore, it will be left open to the petitioner to work out the remedy in the manner known to law.



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6. In the light of the above, the objection raised by the Registry is sustained and liberty is granted to the petitioner to work out his remedy in the manner known to law. Consequently, the connected Miscellaneous Petitions are closed. No costs.

[N.A.V., J.] [K.K.R.K., J.]
02.06.2026

Indu

NCC :Yes/No
Index : Yes/No
Internet: Yes/No

Note: Registry is directed to return the original order copy, dated 03.03.2026 to the learned counsel for the petitioner.

N.ANAND VENKATESH,J.
AND



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K.K.RAMAKRISHNAN,J.

Indu

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