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W.P.No.18315 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.18315 of 2025

and W.M.P.Nos.20515, 20516 and 20517 of 2025

S.S.Fruits International Private Limited
Rep. by its Director, Mohammed Saffiullah,
622, Big Bazaar Street,
Coimbatore- 641 001.

Petitioner

Vs

State Bank of India
Rep. by its Assistant General Manager/
and Authorised Officer
Stressed Assets Management Branch
1st Floor Raja Plaza, 1112, Avinashi Road,
Coimbatore - 641 037.

Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned order passed by the learned Chief Judicial Magistrate, Coimbatore dated 30.12.2024 made in Cr. M.P. No. 5945 of 2024, appointing an Advocate Commissioner for taking



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physical possession of the subject properties and quash the same and consequently direct the respondent to implement the directions contained under the notification bearing No.S.O.E.1432 issued by the Reserve Bank of India, dated 29.05.2015.

For Petitioner: No Appearance

For Respondent: Mr. M.L.Ganesh
(Through Video Conferencing)

ORDER

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

None appears for the petitioner when the matter is called out.

2. This writ petition under Article 226 of the Constitution of India has been filed by the petitioner challenging the order dated 30.12.2024 passed in CrI.M.P.No.5945 of 2024 by the learned Chief Metropolitan Magistrate, Coimbatore.

3. The petitioner is squarely met with the bar of an alternative efficacious remedy. As per Section 17 of the SARFAESI Act, any person aggrieved by the measures taken under Section 14 of the SARFAESI Act must challenge the same before the jurisdictional Debts



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Recovery Tribunal.

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4. The Supreme Court in an epoch-making judgment in *PHR Invent Educational Society v. UCO Bank*¹, reiterated that High Courts should decline writ jurisdiction under Article 226 when statutory remedies are available. The Court ruled that a writ petition cannot be entertained if the governing statute already provides a specific grievance redressal mechanism. The relevant observations of the Supreme Court are reproduced hereunder:

"37. It could thus clearly be seen that the Court has carved out certain exceptions when a petition under Article 226 of the Constitution could be entertained in spite of availability of an alternative remedy. Some of them are thus:

- (i) where the statutory authority has not acted in accordance with the provisions of the enactment in question;**
- (ii) it has acted in defiance of the fundamental principles of judicial procedure;**
- (iii) it has resorted to invoke the provisions which are repealed; and**
- (iv) when an order has been passed in total violation of the principles of natural justice.**

38. It has however been clarified that the **High Court will**

¹ (2024) 6 SCC 579



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not entertain a petition under Article 226 of the Constitution if an effective alternative remedy is available to the aggrieved person or the statute under which the action complained of has been taken itself contains a mechanism for redressal of grievance."

[emphasis supplied]

5. In light of the above, we are of the view that the present writ petition is not maintainable and, therefore, the same is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
14.07.2026

Index : Yes/No
Neutral Citation : Yes/No
bbr

To:
The Assistant General Manager/
and Authorised Officer
State Bank of India
Stressed Assets Management Branch
1st Floor Raja Plaza, 1112, Avinashi Road,
Coimbatore - 641 037.



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

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