



WEB COPY



WP No.33224 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

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1.R.ANAND

12, THIRUMAL NAGAR, VARICHIKUDY,
KARAIKAL 609 609.

2.R.SWAMINATHAN

NO.1 KRISHNA NAGAR,
PUNITHAVAHITYAR ST,
KARAIKAL 609 605.

: Petitioners

Versus

1.BANK OF INDIA

REP BY AUTHORISED OFFICER,
COIMBATORE ASSET RECOVERY BRANCH,
STAR HOUSE 324 OPPANAKARA STREET,
COIMBATORE 641 001.

2.B.V.VISWANATHAN

No.1/15 SHIRNAGAR NAGAR,
PEELAMEDU, COIMBATORE 641 001.

3.ANURADHA

No.1/15 SHIRNAGAR NAGAR,

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PEELAMEDU, COIMBATORE 641 001.

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4.THE SUB REGISTRAR,
Office of Sub Registrar, Mylapore,
Chennai - 600 004. : Respondents

(R4 IMPEADED VIDE ORDER DATED 05.12.2025
IN WMP.47667/2025 IN WP.33224/2025)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to handover physical possession of the subject property bearing residential flat no.7-A-3 bearing TA, with the built up area 1095 sq ft in 3rd floor of the building named Navin Lakshmi Ram located at Door No.11 Tiurvenkadam street, Raja Annamalaipuram Chennai 600 028 comprised in Plot No.5 RS No.4119/6 (Mandaveli) in Mylapore Village (Mylapore South Section Area T. P Scheme) within the sub registration district of Mylapore and registration district of Chennai Central to the petitioners /auction purchasers by registering the sale certificate in petitioner's favour within a time frame.

For Petitioners : Mr.V.Sundarraman

For Respondents : Mr.F.B.Benjamin George,
for the first respondent

Mr.K.Kumaran,
Government Pleader,
for the fourth respondent

No appearance for respondents 2, 3



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ORDER

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This writ petition, filed under Article 226 of the Constitution of India, seeks a mandamus, directing the respondents to handover physical possession of the property and also to execute sale certificate.

2. Petitioners are the auction purchasers. It is the grievance of the petitioners that even after paying the entire auction amount, the first respondent bank has not come forward to execute the sale certificate, and possession has also not been handed over to them.

3. Learned counsel for the first respondent bank, by pointing out the letter dated 20.10.2025 addressed to the petitioners, submitted that even though the bank has intimated the petitioners that they are prepared to execute the sale certificate, the petitioners have not come forward to complete the transaction, and only in such circumstances, sale certificate could not be registered. The learned counsel also drew our attention to the counter-affidavit and submitted that application filed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002,



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before the Chief Judicial Magistrate, came to be returned for curing certain defects and now the bank has filed a fresh application, which is yet to be numbered.

4. In view of the letter dated 20.10.2025 sent to the petitioners, it is evident that the bank has called upon the petitioners to cooperate with them for executing the sale certificate. It is for the petitioners to approach the bank and get the sale certificate registered in their names.

5. As regards possession of the property, the respondent bank has submitted that an application, under Section 14 of the SARFAESI Act, has now been filed afresh, and it is yet to be numbered. The respondent bank is directed to take steps to get the application numbered and obtain orders for the Chief Judicial Magistrate and handover possession to the petitioners.

6. With the aforesaid observations, the writ petition stands disposed of. There will be no order as to costs.



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7. WMP No.37447 of 2025, filed to permit the petitioners to file a single writ petition, is allowed subject to payment of separate court fees within a period of two weeks from today.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G.ARUL MURUGAN, J.)
22.07.2026

Index : Yes/No
Neutral Citation : Yes/No
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To

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BANK OF INDIA
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COIMBATORE 641 001.

2.THE SUB REGISTRAR,
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THE HON'BLE CHIEF JUSTICE
AND

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