



W.M.P(MD)No.26824 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.M.P(MD)No.26824 of 2023

in

W.P(MD)No.22465 of 2023

1.M/s.Canara Bank
Represented by its Branch Manager,
Railway Junction Branch,
1st Floor, City Tower No.1,
Royal Road, Cantonment,
Trichy, Trichy District.

2.The Authorised Officer,
M/s.Canara Bank,
Railway Junction Branch,
1st Floor, City Town No.1,
Royal Road, Cantonment,
Trichy, Trichy District.

... Petitioner Nos.1 & 2/
Respondent Nos.1 & 2

VS.

1.P.Ramkumar
2.S.Sugumar

...1st Respondent/writ petitioner
... 2nd Respondent/Respondent No.3

1/5



WEB COPY

W.M.P(MD)No.26824 of 2023

PRAYER : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India praying for issuance of a direction to direct the first respondent/writ petitioner to receive the movables which were taken while taking physical possession as per the directions of this Court vide Order dated 14.09.2023, or in the alternative, permit the petitioners to sell the movables in auction or to seek expenses incurred from the writ petitioner.

For Petitioners : Mr.C.Deepak

ORDER

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

The petitioners seek a direction to the first respondent/writ petitioner to receive the movables that were taken at the time of taking physical possession, as per the directions of this Court vide Order dated 14.09.2023, or, in the alternative, to permit the petitioners to sell the movables by auction or recover the expenses incurred from the writ petitioner.



WEB COPY

W.M.P(MD)No.26824 of 2023

2. It is the contention of the petitioners that, in the course of proceedings under the SARFAESI Act, after taking possession of the secured assets, certain movable properties belonging to the borrowers were also taken over, and inventories were prepared. Earlier, the borrower/first respondent filed a writ petition in W.P(MD)No.22465 of 2023, alleging that the movables had not been handed over. However, this Court, while disposing of the said writ petition, directed the first respondent herein to submit a representation to the Bank within a period of one week from the date of receipt of a copy of the order. Despite the said order dated 14.09.2023, no representation has been submitted to the Bank. Hence, the grievance of the petitioners is that they are unable to hand over the movables and therefore seek appropriate directions.

3. This Court, while disposing of the earlier writ petition, made it clear that the first respondent shall submit a fresh representation to the appellants within a period of one week from the date of receipt of a copy of



W.M.P(MD)No.26824 of 2023

the order. Despite such direction, it appears that no representation has been submitted.

4. In such circumstances, this Court directs the petitioners/Bank to issue notice to the first respondent for receiving the movables. Upon receipt of such notice, the first respondent is directed to appear before the Bank and receive the movables. If the first respondent fails to appear, it is open to the Bank to dispose of the same in the manner known to law.

5. With the above directions, the writ miscellaneous petition is disposed of. No costs.

[N.S.K.,J.] [M.J.R.,J.]
23.03.2026

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



WEB COPY



W.M.P(MD)No.26824 of 2023

N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

am

W.M.P(MD)No.26824 of 2023
in
W.P(MD)No.22465 of 2023

DATED : 23.03.2026