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W.P. No.2506 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.No.2506 of 2025

T.R.Ringu
D/o.Rajan
No 19, Annai Sathya Nagar,
Ayanavaram,
Chennai 600 023

Petitioner

Vs

1.Punjab National Bank
Rep. by its Authorised Officer,
Circle Sastra Centre, Chennai,
No 739, Second Floor, Spencer Plaza,
Anna Salai, Chennai 600 002

2.Mahaveer Steel Traders
by its Proprietor Amit D. Shah,
No 33, Coromandal Town,
Ambattur, Chennai 600 098

Respondents



W.P. No.2506 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent bank to invoke the provisions of the SARFAESI Act, to take physical possession of the property auctioned by them in which the Sale Certificate is issued to the petitioner, in respect of the property bearing Flat No.1-C, in the 1st Floor, Block, B, at 'Aishwaryam' at Door No.53-A, (Old No.6F) Baraka Road, Purasawalkkam, Chennai, measuring about 973 Sq.Ft. of UDS out of the larger extent of land, along with the built up area of Flat measuring about 1653 Sq.Ft.

For Petitioner: Mr.B.Divakaran

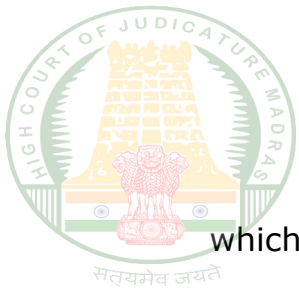
For Respondents: Mr.M.L. Ganesh
for respondent No.1

ORDER

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

Heard learned counsel for the parties.

2. The prayer sought is to direct the respondent bank to invoke the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, "SARFAESI Act") to take physical possession of the property auctioned by them in



W.P. No.2506 of 2025

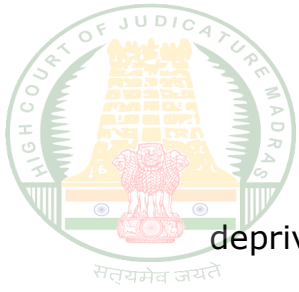
which the sale certificate was issued to the petitioner.

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3. At the outset, though learned counsel for the petitioner would submit that an order for delivery of possession has been passed by the Chief Judicial Magistrate on 18.04.2023 in exercise of the powers under Section 14 of the SARFAESI Act, learned counsel for the respondent bank brings to the notice of this court that the sale notice as well as the sale certificate both are under challenge in two separately instituted petitions before the Debts Recovery Tribunal-III, Chennai, wherein an interim order directing *status-quo* to be maintained has been passed on 13.10.2023 and 21.03.2024.

4. The petitioner is party in one of the cases. It is open for the petitioner to seek impleadment in the other case also and oppose the relief sought in that petition pending before the Debts Recovery Tribunal in the matter of challenge to the sale notice.

5. All that we can observe at this stage is that the Debts Recovery Tribunal-III, Chennai, shall ensure expeditious disposal of the cases, keeping in view that a *bona fide* auction-purchaser remains



W.P. No.2506 of 2025

deprived of the fruit, because of the pendency of cases and the operation of interim orders.

6. Petition is disposed of. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
06.08.2025

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

To:

The Authorised Officer,
Punjab National Bank
Circle Sastra Centre, Chennai,
No 739, Second Floor, Spencer Plaza,
Anna Salai, Chennai 600 002

Copy to:

The Registrar,
Debts Recovery Tribunal-III,
Chennai.



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W.P. No.2506 of 2025

THE HON'BLE CHIEF JUSTICE
AND
SUNDER MOHAN,J.

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