



WEB COPY

WP No. 22574 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

WP No. 22574 of 2025

1. M/s.Jana Small Finance Bank
Limited
Senapati Bapat Marg,
Lower Parel (west), Mumbai-400 013
And Branch Office At
Ceebros Building, No.110, 4th Floor,
Nelson Manickam Road, Aminjikarai,
Chennai-600 029
Represented By Its Authorized Officer
P.Salil

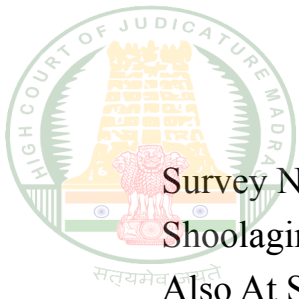
Petitioner(s)

Vs

1. The Superintendent Of Police
Krishnagiri District.

2.The Inspector Of Police
Uddanappalli Police Station,
Krishnagiri District.

3.M/s.Suresh Allo Blocks



Survey No.197, Sanamavu, Bennikkal,
Shoolagiri, Krishnagiri -635 119

Also At Sf No.675, New Sf No.675/28
Bennikal Area Sanamavu Village,
And Panchayat Schoolagiri Tk-635 113

4.Suresh Thimmappa
Door No.585, Bennikkal
Bairamanagalam, Sanamavu,
Krishnagiir, Hosur
Tamil Nadu-635 119.

5.Kalavathi Suresh
Door No.585, Bennikkal
Bairamangalam, Sanamavu,
Krishnagiri, Hosur,
Tamil Nadu-635 119.

Respondent(s)

PRAYER

This Writ Criminal Petition is filed under Article 226 of the Constitution of India, seeking to issuance of Writ of Mandamus, to direct the 1st and 2nd respondents to provide administrative assistance on an expeditious basis under section 14 of the SARFAESI Act, 2002 to take possession of the secured Asset that was trespassed and consequently direct the respondents to offer adequate police protection and assistance for taking action against the trespasser to the authorized officer of the petitioner financial institution at the time of entering into the secured asset at all that piece and parcel of the property 3rd respondent



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situated at Sanamavu Gramanatham Village of Shoolagiri Taluk and attached to Kelamangalam (Denkanikotta) Sub Registration District, Krishnagiri

Registration Sanamavu Village natham Sy. No.675 in this new Natham Survey No.675/28 (Natham Patta No.141) in this site measuring

East to West on the North-8.6 meters,

East to West on the South-9.2 metrs,

North to South on the East-10.2 meters,

North to South on the West-10.6 meters,

i.e. an area of 93 sq. Meter or 1001 sq.feet, together with an RCC Terraced building to be constructed thereon and all situated within the following boundaries,

East-Property belonging to perumal,

West-Road,

North-Road,

South-Property belonging to Srinivasa of land in full and with all pathway rights and easement rights annexed thereto along with the RCC House with all accessories like doors, windows, electrical installations etc.

For Petitioner(s): M/s.M.Gracy Mercy

For Respondent(s): Dr.C.E.Pratap
Government Advocate (Crl.Side)
For R1 And R2

**ORDER**

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This Writ Criminal Petition has been filed seeking to issuance of Writ of Mandamus, to direct the 1st and 2nd respondents to provide administrative assistance on an expeditious basis under section 14 of the SARFAESI Act, 2002 to take possession of the secured Asset that was trespassed and consequently direct the respondents to offer adequate police protection and assistance for taking action against the trespasser to the authorized officer of the petitioner financial institution at the time of entering into the secured asset at all that piece and parcel of the property situated at Sanamavu Gramanatham Village of Shoolagiri Taluk and attached to Kelamangalam (Denkanikotta) Sub Registration District, Krishnagiri Registration Sanamavu Village natham Sy. No.675 in this new Natham Survey No.675/28 (Natham Patta No.141) in this site measuring East to West on the North-8.6 meters, East to West on the South-9.2 metters, North to South on the East-10.2 meters, North to South on the West-10.6 meters, i.e. an area of 93 sq. Meter or 1001 sq.feet, together with an RCC Terraced building to be constructed thereon and all situated within the following boundaries, East-Property belonging to perumal, West-Road, North-



Road, South-Property belonging to Srinivasa of land in full and with all pathway rights and easement rights annexed thereto along with the RCC House with all accessories like doors, windows, electrical installations etc.

2. On a perusal of the records, it is seen that the petitioner herein had already filed Crl.M.P.No.1061 of 2024 on the file of the Chief Judicial Magistrate Court, Krishnagiri seeking assistance of the Court for taking delivery of the secured asset. The learned Chief Judicial Magistrate vide order dated 26.3.2024 allowed the petition and also appointed Advocate Commissioner to take possession of schedule property and handover the same to the petitioner and also stated that the Advocate Commissioner is empowered to take assistance of the police officials and also revenue officials in identification of the secured assets and protection for peacefully taking and handing over the possession of the secured asset to the petitioner by submitting necessary application to the concerned officials and also empowered to exercise the power of break open if the situation warrants. Further, the learned Chief Judicial Magistrate, has stated that in case of urgency, for any further orders, either the



petitioner or the Advocate Commissioner can approach the Court by way of filing memo.

3. The petitioner has not produced any material to show that the Advocate Commissioner has filed a memo for further orders as directed by the learned Chief Judicial Magistrate or the petitioner has approached the learned Chief Judicial Magistrate for further orders and the learned Chief Judicial Magistrate, refused to grant relief. In the absence of the same, this Court is not inclined to grant the relief as sought for by the petitioner in this writ petition.

4. In view of the above, this Writ Petition is dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law before the Chief Judicial Magistrate Court, Krishnagiri.

15-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1.The Superintendent Of Police
Krishnagiri District.

2.The Inspector Of Police
Uddanappalli Police Station,
Krishnagiri District.

3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN J.

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