



WEB COPY

W.P.No.23432 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K.SURENDER**

Writ Petition No.23432 of 2025
and WMP Nos.26289 & 26290 of 2025

Mr.H.Tirupattur Aatur Rahman

... Petitioner

Vs.

M/s. Chola mandalam Investment & Finance
Company Ltd.,
Rep. By Manager, S.Ashok Kumar,
S/o.Saravanan,
“Chola Crest” C54-55 & Super B-4,
Thiru Vi Ka Industrial Estate,
Guindy, Chennai 600 032.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the measures Under Section 14 of SARFEASI Act initiated by the respondent's bank in CrI.MP No.1141 of 2025, order dated 17.06.2025 on the file of the The Chief Judicial Magistrate at Tirupathur, Tirupathur District and quash the same.



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For Petitioner : Mr.G.Peranban

ORDER

(Order of the Court was delivered by R.SUBRAMANIAN, J.)

The only ground on which the order of the Chief Judicial Magistrate, Tirupathur, made under Section 14 of the SARFEASI Act, is sought to be challenged is that all the legal heirs of the guarantor have not been impleaded. It is settled that Section 14 proceedings are summary in nature and the petitioner herein, who is the son of the deceased guarantor, is already on record in the proceedings before the Magistrate as the debtor. Sufficient representation of the estate being there, we do not think the order of the Magistrate can be faulted solely on the ground the other legal heirs are not impleaded.



2. Hence the Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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(R.SUBRAMANIAN, J.) (K.SURENDER, J.)
27.06.2025

jv

Internet : Yes
Index : No
Neutral Citation : No
Speaking order

To

M/s. Cholamandalam Investment & Finance
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K.SURENDER, J.

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