



W.P.No.32501 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.08.2025

CORAM :

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.32501 of 2025

Mohammed Ihsanullah
S/o Abdul Rasheed

.. Petitioner

v.

1. The Additional Chief Secretary to Government
Revenue and Disaster Management
Tamil Nadu Secretariat
Chennai 600 009
2. District Collector
District Collector's Office
Rajaji Road, Beach Road
George Town, Chennai 600 001
3. Revenue Divisional Officer
Revenue Divisional Office
Guindy, Chennai 600 032
4. Tahsildar
Sholinganallur Taluk Office
No.1, Rajiv Gandhi Road
Sholinganallur
Chennai 600 119



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5. Revenue Inspector
Sholinganallur Taluk Office
No.1, Rajiv Gandhi Road
Sholinganallur
Chennai 600 119

6. The Manager
Canara Bank
Asset Recovery Branch
Teynampet, Chennai

7. Padmavathy
W/o Rajasekar

.. Respondents

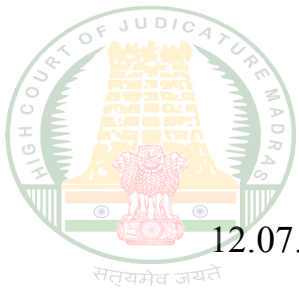
Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to dispose of the petitioner's representation dated 12.07.2025 to restore the possession of the shop premises bearing door No.14, Madipakkam Main Road, Kaiveli, Ram Nagar South, Pallikaranai, Chennai 600 091 and to take appropriate action against the respondents 4 & 5.

For Petitioner :: Mr.K.A.Mariappan

For Respondents :: Mr.G.Velu
Additional Government Pleader
for R1 to R5
Mr.R.Sreedhar
Standing Counsel for R6

ORDER

This writ petition has been filed for issuance of a mandamus to the respondents 1 to 3 to dispose of the representation made by the petitioner on



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12.07.2025, wherein the petitioner has alleged that possession has been taken with respect to a different property, and whereas permission was granted under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act for possession of the property which was given as a security.

2. When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of the sixth respondent produced the written instructions received from the fourth respondent. On going through the same, it is seen that the sixth respondent has taken a stand that action was taken pursuant to the order passed by this Court in C.M.P.No.7802 of 2023 dated 04.03.2024 with the help of the Advocate Commissioner.

3. In the considered view of this Court, this Court, exercising its jurisdiction under Article 226 of the Constitution of India, cannot go into disputed facts. In any case, the petitioner has an alternative remedy under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act to approach the concerned Debts



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Recovery Tribunal and workout his remedy. If ultimately, instead of the secured asset, possession has been taken with respect to a different property, that can also be dealt with by the Debts Recovery Tribunal considering the powers vested with the said forum. Therefore, except giving this liberty, no further orders can be passed in this writ petition.

4. This writ petition is disposed of in the above terms. No costs.

Index : yes/no
Neutral citation : yes/no

28.08.2025

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To

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