

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.40332 of 2025

1. Lakshmi A
2. Annadurai

... Petitioners

vs.

M/s.Canara Bank,
Asset Recovery Management Branch,
8th Floor, Circle Office Building,
524, Anna Salai, Teynampet,
Chennai – 600 018.

... Respondent

For Petitioners
For Respondent

: Mr.P. Jesus Moris Ravi
: Mr. R. Sreedhar

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to consider my letter of representation dated 08.10.2025 and direct the respondents to take appropriate action and provide remedy in accordance with the law within a stipulated period of time.

For Petitioners : Mr.P. Jesus Moris Ravi

For Respondent : Mr.R. Sreedhar

ORDER

Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioners' joint representation dated 08.10.2025 and to take appropriate action and to provide remedy in accordance with law, within a time frame.

3. It is the case of the petitioners that they have availed Housing Loan and due to non-payment of certain EMIs, the loan account was declared as Non Performing Assets(NPA) and subsequently the respondent-bank proceeded under SARFAESI Act. Pursuant to the same, the respondent– bank filed a petition before the Chief Metropolitan Magistrate, Egmore in Crl. M.P. No.53048 of 2024 seeking appropriate directions for taking possession of the petitioners' assets.

4. It is the further case that subsequent to directions issued by the Chief Metropolitan Magistrate, Egmore, vide order dated 11.11.2024 in Crl. M.P. No.53048 of 2024, the respondent-bank issued a communication dated 07.10.2025 to petitioners stating final reminder to collect the articles kept in the mortgaged property and to vacate the said property before 15.10.2025.

Under such circumstances, the petitioners have submitted a joint representation to the respondent-bank on 08.10.2025 requesting for time extension. As the same was not considered by the respondents, till date, this writ petition has been filed.

5. Learned counsel for the petitioners submitted that it would suffice if a direction is issued by this Court to the respondent-bank to grant one month time for removing their belongings in the mortgaged property, before the said property is taken over by the bank.

6. Learned counsel for the respondent-bank fairly submitted that the bank has no objection for extending the time upto 15.11.2025 to take back the belongings/articles of the petitioners at the subject property. However, he submitted that the bank will not extend any further time and the same may be recorded.

7. The aforesaid submission made by the learned counsel for the respondent-bank is acceded to by the learned counsel for the petitioner.

8. Recording the fair submissions made by the learned counsel on either side, this writ petition stands closed. However, it is made clear that the petitioners shall remove their personal belongings from the subject property, which was duly mortgaged with the respondent-bank on or before 15.11.2025,

in the presence of the officials of the respondent-bank. The respondent bank is directed to extend full co-operation for such removal of articles and to ensure that the process is completed without any delay. No costs.

25.10.2025

(1/2)

Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
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M.DHANDAPANI, J.
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