



W.P.No.43111 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.43111 of 2025

and W.M.P.Nos.48267 and 48269 of 2025

- 1.Sai Milk Agencies
Rep. by its Proprietor Ravindra
No.106, Thiruneelakandar
Nagar Main Road,
Kavangarai, Puzhal,
Chennai-66
- 2.Ravindra
S/o.Sivaiah,
(Proprietor of Sai Milk Agencies)
No.25, Kalki Nagar,
Puzhal,
Chennai-600 066.
- 3.Roja
W/o.Ravindra
No.25, Kalki Nagar,
Puzhal,
Chennai-600 066.

Petitioners

Vs



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HDB Financial Services
Rep. by its Authorized Officer J.Joshua, New
No.128/4F, M.N. Office Complex,
4th Floor, Greams Road,
Chennai-600 006.

Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to call for the records relating to the order dated 16.08.2024 passed in Crl.M.P.No.1863 of 2024 on the file of the Chief Judicial Magistrate, Thiruvallur, and set aside the same, as being illegal, arbitrary and without jurisdiction.

For Petitioners: Ms.G.Varalakshmi

ORDER

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

The petitioners, through this petition, seek to challenge the correctness, legality and validity of an order passed under Section 14 of the SARFAESI Act, 2002, by the Chief Judicial Magistrate, Tiruvallur on 16.8.2024.

2. At the first place, if the petitioners are aggrieved, the petitioners' remedy was to approach the concerned Debts Recovery Tribunal. The petitioners, however, have not taken those steps. The order passed under Section 14 of the Act by the Chief Judicial Magistrate is only to provide assistance to the secured creditor to take



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possession of the secured asset.

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3. We are not inclined to interfere with the order passed by the Chief Judicial Magistrate.

4. Learned counsel for the petitioners would submit that the petitioners have paid substantial amount. If the petitioners seek redemption, their remedy is to approach the secured creditor and not this Court.

5. The writ petition is dismissed. There shall be no order as to costs. WMP No.48267 of 2025 filed to permit the petitioners to file a single writ petition is allowed, subject to payment of separate court-fee within a period of two weeks. WMP No.48269 of 2025 is closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)

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Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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