



WP No.48769 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.48769 of 2025
and WMP Nos.54458, 54456 and 54460 of 2025

S.Subramanian

.. Petitioner

-vs-

1. The Authorised Officer,
M/s.J.M.Financial Asset Reconstruction
Company Pvt. Ltd., 7th Floor,
Cnergy, Appasaheb Marathe Marg,
Prabhadevi, Mumbai 400 025.

2. The Registrar,
Debts Recovery Tribunal-III,
6th Floor, Shastri Bhavan,
Additional Office Building,
Haddows Road, Nungambakkam,
Chennai 600 006.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the order dated 04.12.2025 in S.A.No.811 of 2025 passed by the Debts Recovery Tribunal-III, Chennai, as illegal,

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arbitrary, consequently direct the Debts Recovery Tribunal-III, Chennai, to call for the entire records relating to the statutory e-auction sale proceedings conducted on 03.12.2025 by the 1st respondent under the SARFAESI Act, and quash the said proceedings and the consequential confirmation of sale, as the same were rendered possible only due to the failure of the Debts Recovery Tribunal-III, Chennai, to exercise its jurisdiction under Section 17 of the Act by refusing to hear the petitioner.

For Petitioner : Mr.A.L.Somayaji,
Senior Counsel
for Mr.D.Percivul Pericle

For Respondents : Mr.Om Prakash
Senior Counsel
for Mr.Surya Teja S.S.Nalla
for R-1

* * * * *

ORDER

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

The petitioner has filed this petition aggrieved on account of non-consideration of stay application by the Debts Recovery Tribunal, though it was taken up on 03.12.2025.

2. Learned senior counsel appearing for the petitioner would submit that the stay application was not considered on 03.12.2025



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and the case was posted on 04.12.2025, even though there was a prayer for staying the auction, which was scheduled on 03.12.2025. Thereafter, on 04.12.2025, the petitioner was directed to implead the auction purchasers and the case has been now directed to be listed on 23.01.2026 (wrongly typed as 23.01.2025).

3. Learned senior counsel appearing for the first respondent, on advance copy, would submit that the petitioner himself is responsible for the delay in approaching the Debts Recovery Tribunal.

4. We find that though the case was listed before the Tribunal on 03.12.2025 on mentioning being made, the application was not considered and was posted on the next day. Now, the case is listed on 23.01.2026.

5. If all the parties are served on or before 23.01.2026, the Debts Recovery Tribunal-III, Chennai, shall decide the stay application, within two weeks thereafter and not later under any circumstances. Till the decision on the stay application, *status quo* as it exists today shall be maintained by all the parties.



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This petition is, accordingly, disposed of. There shall be no order as to costs. Consequently, the interim applications stand closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
17.12.2025

Index : Yes/No

Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

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