



W.P(MD)No.11065 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.11065 of 2025

Grihum Housing Finance Limited,
(Formerly Poonawalla Housing Finance Limited),
Represented by its Authorized Officer,
S.Subramanian

... Petitioner

vs.

1.S.Karuppasamy
2.Saraswathi Karuppasamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the learned Chief Judicial Magistrate, Theni District to number the application filed by the petitioner under Section 14 of SARFASI Act for taking physical possession of the respondents house property located at comprising in Survey No.418/1, at present UDR Survey No.418/1A, New UDR Survey No.418/1A3 at present sub division Survey No.418 to an extent of 875 sq.ft at Thimarasayanayakkanour Village, Andipatti Taluk, Periyakulam Registration District, Theni District and dispose the same in CrI.M.P.SR.No.9174/2024 on the file of the learned Chief Judicial Magistrate,



W.P(MD)No.11065 of 2025

WEB COPY

Theni District as expeditiously as possible within the time stipulated by this Court.

For Petitioner : Mr.M.Shakul Hameed

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

This writ petition has been filed for the issue of writ of Mandamus directing the learned Chief Judicial Magistrate, Theni District to number the application filed by the petitioner under Section 14 of the SARFASI Act for taking physical possession of the respondents' house property comprised in Survey No.418/1, presently UDR Survey No.418/1A, New UDR Survey No. 418/1A3 and currently sub division Survey No.418, to an extent of 875 sq.ft situated at Thimarasanayakkanour Village, Andipatti Taluk, Periyakulam Registration District, Theni District and to dispose of the same in CrI.M.P.SR.No. 9174/2024 on the file of the learned Chief Judicial Magistrate, Theni District, as expeditiously as possible within the time stipulated by this Court.



W.P(MD)No.11065 of 2025

WEB COPY

2. According to the petitioner/the Grihum Housing Finance Limited, the petitioner filed an application under Section 14 of the SARFAESI Act before the Chief Judicial Magistrate on 12.10.2024 in CrI.M.P.SR.No.9174 of 2024, seeking to take physical possession of the respondents' house property. The petition was returned on 31.12.2024, pointing out certain deficiencies. The petitioner claims to have rectified the defects and represented the application on 30.01.2025. However, even after a lapse of two months, the application has not yet been taken on file, prompting the petitioner to file the present Writ Petition.

3. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, the learned Chief Judicial Magistrate, Theni District, is directed to number the petition in CrI.M.P.SR.No.9174 of 2024, if the papers are otherwise in order. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.



W.P(MD)No.11065 of 2025

WEB COPY

4.The Writ Petition is disposed of with the above direction. There shall be no order as to costs.

[J.N.B.,J.] & [S.S.Y.,J.]
21.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



WEB COPY



W.P(MD)No.11065 of 2025

J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
W.P(MD)No.11065 of 2025

DATED : 21.04.2025