

W.P.(MD)No.12548 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.07.2025

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P(MD).No.12548 of 2025

and

W.M.P(MD)Nos.9123 and 9125 of 2025

J.Chandran

... Petitioner

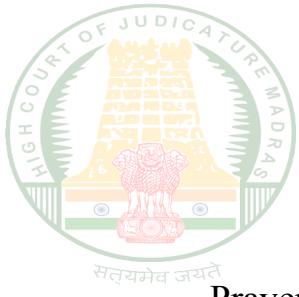
-VS-

1. The Chief General Manager,
Reserve Bank of India,
16, Rajaji Road, Fort St.George,
Near Madras High Court,
Chennai.

2. The Authorized Officer/The Branch Manager,
Indian Bank,
Nagercoil Branch,
165, Women's Christian College Road,
Nagercoil,
Kanyakumari District.

3. Venkatesh

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned sale in favour of the 3rd respondent Thiru.Venkatesh and the Impugned Order passed by the Chief Judicial Magistrate Court Nagercoil in Crl.M.P.No.5899 of 2024 dated 20.01.2025 and the consequential impugned proceedings of the 2nd respondent Bank and all other consequential proceedings are quash the same as illegal, arbitrary and consequently directing the 2nd respondent bank to given sufficient opportunity to the petitioner to Settle the Loan amount due as per RBI Rules.

For Petitioner	: Mr.K.Sathiya Singh
For R1	: Mr.K.R.Laxman
For R2	: Mr.C.Karthik
	Standing Counsel
For R3	: Mr.J.Jeevan

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The order passed by the Chief Judicial Magistrate Court, Kanniyakumari District at Nagercoil dated 20.01.2025 passed under Section 14 of the SARFAESI Act, is under challenge in the present writ petition.



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2. The order passed under Section 6 of the Act is susceptible to file an appeal under Section 17 of the SARFAESI Act. It is brought to the notice of this Court that E-auction sale process had been completed and the 3rd respondent was the successful bidder purchased the property and the sale certificate has already been issued. Thus, no writ petition is maintainable in view of the legal principles settled by the judgment of the Hon'ble Supreme Court in the case of *Celir LLP Vs. Bafna Motors (Mumbai) Private Limited and others* reported in *(2024) 2 SCC 1*.

3. By granting liberty to the petitioner to approach the competent forum, the present writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S., J.)

(A.D.M.C., J.)

07.07.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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S.M.SUBRAMANIAM, J.
and
A.D.MARIA CLETE, J.

rgm

To

1. The Chief General Manager,
Reserve Bank of India,
16, Rajaji Road, Fort St.George,
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