



WEB COPY



W.P.No.1312 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE SHAMIM AHMED**

**W.P.No.1312 of 2026
and
W.M.P.No.1488 of 2026**

1. M/s.I.Dreams,
Represented by its Prop.Mr.V.Joseph Williams,
No.4, Solomon Cottage,
1st Main Road, Thiruvankada Nagar,
Thiruninravur,
Chennai – 602 024.

2. V.Joseph Williams

... Petitioners

-Vs-

1. Punjab National Bank,
Represented by its Authorised Signatory,
Circle Sastra Centre, 769, 2nd Floor,
Spencer Plaza, Anna Salai,
Chennai – 600 002.

2. N.Arugadass

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records of the impugned order in Crl.M.P.No.14129 of 2024 dated 30.10.2025 issued by the Chief Judicial Magistrate Court, Tiruvallur and quash the same.



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For Petitioners : Mr.D.Yogeswaran

For Respondents : Mr.M.L.Ganesh & Mr.S.Arunkumar
for R1

ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)

This writ petition has been filed against the order passed by the Chief Judicial Magistrate, Tiruvallur in Crl.M.P.No.14129 of 2024 dated 30.10.2025.

2. In fact, the said order was passed under Section 14(1) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'SARFAESI Act'). In the meanwhile, the petitioners filed SARFAESI appeal under Section 17(7) of SARFAESI Act as against the issuance of sale notice by the Bank. In that S.A.No.218 of 2024 pending before the Debts Recovery Tribunal-III, Chennai, interlocutory application also has been filed which was dismissed by order dated 24.04.2024. However, no appeal before the Debts Recovery Appellate Tribunal has been moved by the petitioners and keeping the dismissal order of I.A dated 24.04.2024 and keeping pending S.A.No.218 of 2024, the petitioners have moved the present writ petition challenging the order passed by the Chief Judicial Magistrate under Section 14(1) of SARFAESI Act.



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3. Since alternative efficacious statutory remedy already been invoked by the petitioners where SARFAESI appeal is pending before the Debts Recovery Tribunal-III, Chennai and as against the dismissal order of IA filed by the petitioners by order dated 24.04.2024 made by the Debts Recovery Tribunal it has not been questioned or appealed so far, this petition is a gross misuse of process of this Court as the same cannot be entertained as an off-suit without pursuing the appeal pending before the Debts Recovery Tribunal and also to pursue any further appeal filed in this regard as against the order passed by the Debts Recovery Tribunal dated 24.04.2024. Hence, the present writ petition is devoid of merits and is liable to be dismissed and accordingly, it is dismissed. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

(R.S.K., J.) (S.S.A., J.)
22.01.2026
(2/2)

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No
vji

To

The Authorised Signatory,
Punjab National Bank,
Circle Sastra Centre, 769, 2nd Floor,



Spenceer Plaza, Anna Salai,
Chennai – 600 002.

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and
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