



WEB COPY



W.P.No.4556 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.4556 of 2026
and W.M.P.No.5035 of 2026

Meharban
W/o.Late B.Mohamad Sharrif
No.6, Adhireddy Lane, Vikkiravandi
Villupuram - 605652.

Petitioner(s)

Vs

Indian Overseas Bank
Rep by its Authorised Officer
No.719, Sri Santhinathan House
Nehruji Road, Villupuram.

Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration to declare the impugned E-Auction Sale Notice dated 07.01.2026 in respect of petition scheduled property as null and void.

For Petitioner(s): Mr.B.Thilak Narayanan

For Respondent(s):Mr.E.Om Prakash
Senior Counsel
for Mrs.V.Rajeswari



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ORDER

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

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The petitioner has preferred this writ petition under Article 226 of the Constitution of India, seeking a writ of declaration to declare the E-Auction Sale Notice dated 07.01.2026 issued by the respondent/Bank in respect of the petition scheduled property as null and void.

2. The husband of the petitioner, Late B.Mohamad Sharrif, being the proprietor of Maharaja Trading Company, had availed credit facilities from the respondent/Bank. Due to subsequent defaults, the loan accounts were classified as a Non-Performing Asset (NPA) on 01.06.2009. Consequently, recovery proceedings were initiated by the respondent/Bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. The petitioner, as the sole surviving legal heir of the deceased borrower, has filed the present writ petition primarily



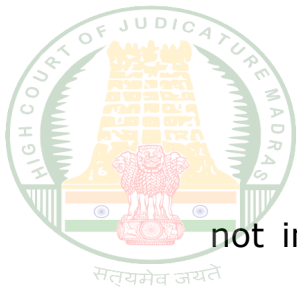
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challenging the E-Auction Sale Notice dated 07.01.2026 on the grounds of limitation and arbitrary escalation of outstanding dues.

4.1. Learned Senior Counsel for the respondent/Bank submitted that the writ petition is not maintainable since the petitioner has an efficacious alternative remedy under Section 17 of the SARFAESI Act.

4.2. It is further submitted that pursuant to the impugned E-Auction Sale Notice dated 07.01.2026, the auction has already been completed on 11.02.2026. It is also submitted that the sale held on 11.02.2026 was successful and the successful bidder quoted Rs.303.25 lakhs, as against a reserve price of Rs.175.75 lakhs. He added that the successful auction purchaser has already remitted 25% of the bid amount and a sale confirmation letter was issued on the same day (11.02.2026) instructing the purchaser to deposit the remaining balance.

5. In view of the fact that the impugned auction has already taken place and third-party rights have been created, this Court is



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not inclined to entertain the writ petition under Article 226 of the Constitution of India. It is a well-settled proposition of law that matters arising out of enforcement of security interest under the SARFAESI Act ought to be adjudicated by the specialized forum created under the Act, i.e., the Debts Recovery Tribunal.

Accordingly, this writ petition is dismissed as not maintainable, leaving it open to the petitioner to agitate her grievances before the appropriate forum. No costs. Consequently, the interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
23.06.2026

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:
The Authorised Officer
Indian Overseas Bank
No.719, Sri Santhinathan House
Nehruji Road, Villupuram.



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

(sasi)

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