



WEB COPY



W.P.No.5876 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.5876 of 2026

M/s.Hero Fincorp Limited,
Through its Authorised Officer, Mr.K.Gautam,
Registration Office : 34, Community Centre,
Basant Lok, Vasant Vihar,
New Delhi – 110 057 – India,
Branch Office at:
5th Floor, Aplpha Center, 150-151,
North Usman Road, T.Nagar,
Chennai – 600 017.

... Petitioner

-Vs-

1. M/s.Tharun Events Management,
Through its Proprietor,
Having its Office at: No.4, Sannathi Street,
Kovalam, Thiruvидanthai,
Chengalpet, Near Bus Stand,
Chennai, Tamil Nadu – 603 112.
2. M/s.Tharun Catering Service,
Through its Proprietor,
Having its Office at:
No.1/125A, Chetty Street,
Thiruvидanthai, Thirupporur Block,
Kancheepuram, Tamil Nadu – 603 112.
3. E.Maheshwari, D/o.Elumalai,
Proprietor at M/s.Tharun Events Management,
No.7/5, Anjugam Nagar, Street Thiruvottiur,
Ambattur, Tiruvallur, Tamil Nadu – 600 019.
Also at No.1/126A, Chetty Street, Thiruvидanthai,
Thirupporur Block, Kancheepuram,
Tamil Nadu – 603 112.



W.P.No.5876 of 2026

4. Kalyana Kumar, S/o.Sankaralingam,
Proprietor at M/s.Tharun Catering Service,
No.1/126A, Chetty Street, Thiruvidadanthai,
Kovalam, Kancheepuram, Tamil Nadu – 603 112.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Hon'ble Chief Judicial Magistrate, Chengalpattu to pass an appropriate order to execute an order passed in CrI.M.P.No.1896 of 2025 dated 08.07.2025.

For Petitioner : Mr.V.Balasubramani

ORDER

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

The prayer sought for herein is for a writ of mandamus to direct the learned Chief Judicial Magistrate, Chengalpattu to pass an appropriate order to execute the order passed in CrI.M.P.No.1896 of 2025 dated 08.07.2025.

2. Pursuant to the SARFAESI proceedings initiated by the petitioner, an order was passed by the learned Chief Judicial Magistrate at Chengalpattu in CrI.M.P.No.1896 of 2025 on 08.07.2025. However, within the time prescribed in the order, i.e., within 60 days, the necessary warrant has not been handed over to the Advocate Commissioner who was appointed to execute the said warrant. The reason, according to the petitioner's counsel, is that, for not issuing the warrant by the Court that, the bundle in the Court has got mixed up, therefore, he could not immediately trace it.



W.P.No.5876 of 2026

3. Therefore, in order to get extension of time for issuance of warrant, a petition has been filed in Crl.M.P.Nil No. dated 20.11.2025, however, the same has not been entertained for want of provision it seems. Therefore, at this juncture, only the present petition has been filed with the aforesaid prayer.

4. Heard Mr.V.Balasubramani, learned counsel appearing for the petitioner. In view of the order that is going to be passed in this writ petition, notice to the respondents at this stage is dispensed with.

5. Since the order under Section 14 of Securitization and Reconstruction of Financial Asset and Enforcement of Security Interest Act, 2002 has been passed by the learned Chief Judicial Magistrate as early as on 08.07.2025, the necessary warrant since has to be issued to the Advocate Commissioner as the same has not been issued within 60 days period, when extension petition has been filed by the petitioner, the same can be entertained and by extending the time, the warrant can be issued or it should be ensured by the learned Chief Judicial Magistrate that the warrant is issued to the Advocate Commissioner in time to execute the warrant as directed by the learned Chief Judicial Magistrate by order dated 08.07.2025.



W.P.No.5876 of 2026

6. In view of the same, there shall be a direction to the learned Chief Judicial Magistrate, Chengalpattu to entertain Crl.M.P.Nil No. dated 20.11.2025 filed by the petitioner and pass necessary orders therein as indicated herein above.

7. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

(R.S.K., J.) (N.S., J.)
10.03.2026

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

vji



W.P.No.5876 of 2026

To

1. The Proprietor,
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Chennai, Tamil Nadu – 603 112.
2. The Proprietor,
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Having its Office at:
No.1/125A, Chetty Street,
Thiruvudanthai, Thirupporur Block,
Kancheepuram, Tamil Nadu – 603 112.
3. The learned Chief Judicial Magistrate,
Chengalpattu.



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W.P.No.5876 of 2026

**R.SURESH KUMAR, J.
and
N.SENTHILKUMAR, J.**

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