



WEB COPY

W.P.No.15632 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**W.P.No.15632 of 2026 and
W.M.P.Nos.16845 & 16848 of 2026**

1. S.Vijayakumar
2. Tereshkova Grace

..Petitioners

Vs

ICICI Bank Limited,
Represented by its Authorized Officer,
Velmurugan,
Pondicherry - 605 007.

..Respondent

PRAYER : Petition filed under Article 226 of Constitution of India, praying for issuance of writ of certiorarified mandamus, calling for the records culminating in the impugned order dated 23.01.2026 passed by the learned Chief Judicial Magistrate, Puducherry, in Cr.M.P. No.3221 of 2025 under Section 14(1) of the SARFAESI Act, 2002 and upon perusal thereof, quash the said order as being mechanical, non-speaking and violative of the principles of natural justice.

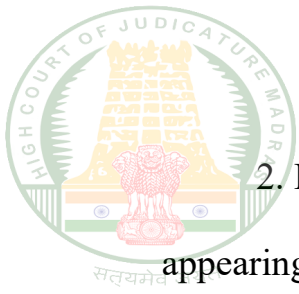
For Petitioners : Mr.Antipasmoses &
Mr.N.John Mathius

For Respondent : Mr.A.Damodharan, Standing Counsel

ORDER

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

This writ petition has been filed challenging the order passed by the Chief Judicial Magistrate, Puducherry in Cr.M.P.No.3221 of 2025 dated 23.01.2026, under Section 14(1) of SARFAESI Act, 2002.

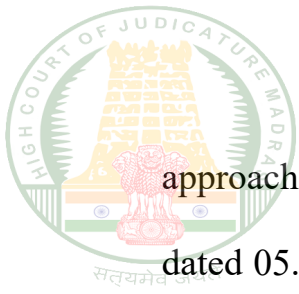


2. It is brought to the notice of this Court by the learned Standing Counsel appearing for the respondent Bank that, as against the very same order, the petitioners have already filed a Securitisation Application before the Debts Recovery Tribunal-III, Chennai, in S.A.No.149 of 2026, which was taken up urgently and an interim order was passed on 05.03.2026.

3. By order dated 05.03.2026, the Debts Recovery Tribunal has passed a conditional order directing the petitioners to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to establish their *bona fides* and granted an interim order of stay. It has further been made clear that, if the said payment is not made on or before 27.03.2026, the interim order of stay shall automatically stand vacated.

4. Though the petitioners have secured the said order, it seems that they have not complied with the condition imposed by the Debts Recovery Tribunal and after one month, they have approached this Court by filing the present writ petition, suppressing the pendency of S.A.No.149 of 2026 before the Debts Recovery Tribunal, where they secured the interim order on condition.

5. It is a clear case of abuse of process of law, where it is not only the petitioners have approached this Court instead of approaching the Debts Recovery Tribunal but also suppressing the fact that the petitioners have already



approached the Debts Recovery Tribunal and got an interim order by order dated 05.03.2026 of course on condition which has not been complied with and with that default, the petitioners have moved the present writ petition challenging the very same order passed by the Chief Judicial Magistrate, Puducherry dated 23.01.2026.

6. In that view of the matter and on the basis of the aforestated facts, this Court is of the considered opinion that the writ petition deserves to be dismissed with costs. Accordingly, the Writ Petition is dismissed with costs of Rs.10,000/- (Rupees Ten Thousand only), payable to the respondent Bank within a period of two weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs. Connected miscellaneous petitions are closed.

(R.S.K., J.) (N.S., J.)
22-04-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
vji

To

1. The Authorized Officer,
ICICI Bank Limited,
Pondicherry - 605 007.
2. The Chief Judicial Magistrate, Puducherry.



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**R.SURESH KUMAR, J.
AND
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