



WEB COPY

W.P.No.15329 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.P.No.15329 of 2026 AND
W.M.P.NOS.16536, 16537 and 16539 OF 2026

Mrs.P.Rajamani

..Petitioner

-VS-

1. The Authorised Officer,
Indian Overseas Bank
Asset Recovery Management Branch,
No.11/952, Cross Cut Road,
Gandhipuram, Coimbatore - 641 012.
2. The Authorised officer
Indian Overseas Bank,
Erode Main Branch,
12, APT Road, Sathy Road,
Park Junction, Erode-638 003
3. K.M.Sivakumar
4. The Sub-Registrar,
Erode Joint-1
Iraniyan Street, Surampatti
Rangampalayam, Erode-638 009
5. Mahalingam Suresh Kumar
Resolution Professional of the Petitioner
2nd Floor, CODISSIA G D Naidu Towers
Huzur Road, Coimbatore-641 018
6. The District Registrar, Erode
Office of the District Registrar
Iraniyan Street, Surampatti
Rangampalayam
Erode-638 009



7. The Inspector General of Registration
No.100, Santhome High Road,
Raja Annamalaipuram, Chennai – 600 028.

..Respondent(s)

Prayer: a) Calling for all the records pertaining to the e-auction notice dated 04.03.2023 and E Auction that was held on 27.03.2023 and declare the E Auction held on 27.03.2023 as void and quash the same and order Fresh Auction of the Schedule Mentioned Property Sale as the E Auction Transaction was not completed by the Successful Bidder as he had failed to pay the complete sale consideration on or before 11.04.2023 as stipulated under the SARFAESI Laws;

b) directing the 6th Respondent not to register any sale deed arising out of the E Auction held on 27.03.2023 with regard to the Schedule Mentioned Property in favour of the 3rd Respondent and thus creating an encumbrance over the property described in the schedule hereto and also issue a Direction to the 1st and 2nd Respondents not to handover physical possession of the Schedule Property to the 3rd Respondent

For Petitioner:	Mr.K.Ravi, For M/s.T.Renu Tax Dasanavis Chandra Bose
For Respondent(s):	Mr.M.L.Ganesh for R1 & R2

ORDER

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

Writ on hand has been instituted, challenging the impugned E-Auction Notice dated 04.03.2023. The E-Auction notice is now under challenge after a lapse of three years from the date of its issuance.



2. Learned counsel for the respondents 1 and 2 / Bank brought to the notice of this Court that the subject property was already auctioned and the sale was confirmed by the Authority. Possession has also been handed over on 07.04.2026 by registered document.

3. May that as it be, in respect of proceedings initiated under SARFAESI Act, an aggrieved person has to approach Debt Recovery Tribunal (DRT) constituted under the Act and no writ proceedings under Article 226 of the Constitution of India is maintainable, in view of the judgments of the Hon'ble Supreme Court in the case of **Celir LLP Vs. Bafna Motors (Mumbai) Private Limited and others**¹ and **CIT v. Chhabil Dass Agarwal**².

4. Granting liberty to the petitioner to approach the DRT, the present Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (K.S.,J.)
16-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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¹ (2024) 2 SCC 1
² (2014) 1 SCC 603



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S.M.SUBRAMANIAM,J.
AND
K.SURENDER,J.
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