



WEB COPY



WP No.13623 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.13623 of 2024

Sharline Shiny
No.52/23, Parthasarathy Street, Chepauk,
Chennai- 05.

Petitioner

Vs

The Manager
Jana Small Finance Bank Ltd.,
No.28/36, 1st Floor South West Boag Road,
T.Nagar, Chennai- 017.

Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records in Crl.MP No.875 of 2024 dated 05.04.2024 from the file of Chief Judicial Magistrate, Chengalput in issuing the warrant U/S. 14 of the SARFAESI Act, authorizing the advocate commissioner to take possession of the property in Plot No.139 AB, Door No.34 in Vembuliyamman Koil 3rd Street, Kulathuma Nagar, Zamin Pallavaram, Alandur Taluk, Kancheepuram District and quash the same.

For Petitioner : Mr. CKM.Appaji

For Respondent : Mr. M.Arunachalam



WP No.13623 of 2024

ORDER

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In this writ petition, the petitioner challenges the order passed by the Chief Judicial Magistrate, Chengalpattu, dated 05.04.2024, whereby warrant under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, authorising the advocate Commissioner to take possession of the property concerned has been issued.

2. Learned counsel for the respondent submitted that sale certificate in respect of the said property has already been issued and that the petitioner has challenged the same under Section 17 of the Act of 2002 before the Debts Recovery Tribunal-III, Chennai, and the same is still pending.

3. In view of the same, challenge to the order under Section 14 of the Act of 2002 is not maintainable. However, the petitioner would be at liberty to challenge the said order, if so advised, in accordance with law.



WP No.13623 of 2024

WEB COPY

4. With this liberty, the petition stands disposed of. There will be no order as to costs. Consequently, WMP Nos.14774, 14775 of 2024 are closed.

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

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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