



WP No. 20254 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR JUSTICE G. R. SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 20254 of 2026 AND

WMP Nos. 21693 OF 2026,WMP NO. 21694 OF 2026

Arunmozhi Alias Raniammal
W/o.(Late) A.V.Duraisamy,
No.100, Venkatachalapathi Nagar, Pichanoor,
Gudiyattam Town and Taluk, Vellore- 632 602.

..Petitioner

Vs

1. The Authorised Officer
Indian Overseas Bank
Gudiyatham Branch, 42, Kosa Annamalai Street,
Ambapuram, Gudiyattam, Vellore- 632 602.
2. K.Kalaiyarasan, Advocate commissioner
(Enrol No.Ms.2772/ 2014) Ph- 89460 83238
C/o.Vellore District court Bar Association,
Vellore District Court campus, Vellore- 632 009.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the docket order dated 18.05.2026 made in Cr.M.P. No.1204 of 2026 pending on the file of the learned Chief Judicial Magistrate, Vellore, quash the same and Consequently forbear the respondents, their men, agents or anybody acting under them from taking Physical possession of the petitioners property situated at No.100, Venkatachalapathi Nagar, Pichanoor, Gudiyattam Town, Gudiyattam Taluk,Vellore District- 632 602 pending disposal of S.A.No. 42 of 2026 before the Debts Recovery Tribunal -II, Chennai.



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For Petitioner :

Mr.N.Mahendra Babu

For Respondents :

Notice dispensed with

Order

(Order of the Court was made by G.R.Swaminathan J.)

Heard the learned counsel for the petitioner. Considering the nature of relief to be granted, issuance of a notice to the respondents is dispensed with.

2. The petitioner has borrowed money from the first respondent bank. She committed default. Hence, proceedings under the SARFAESI Act were taken. The bank had approached the jurisdictional Chief Judicial Magistrate, Vellore and obtained an order under Section 14 of the Act. In the meanwhile, the petitioner filed a SARFAESI appeal before the Debts Recovery Tribunal challenging the sale notice. The petitioner apprehends that, if in the meanwhile she is dispossessed, her appeal may become infructuous.

3. We indicated to the learned counsel that he can as well file an appeal before the Debts Recovery Tribunal questioning the order dated 18.05.2026 passed by the Chief Judicial Magistrate, Vellore under Section 14 of the Act. Learned counsel for the petitioner submitted that only with the certified copy he can approach the Tribunal. He drew our attention to the averments made in Para 18 of the affidavit filed in support of the writ petition. He also stated that even though copy application has been submitted, certified copy is yet to be issued.



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4. We therefore direct the learned Chief Judicial Magistrate, Vellore to forthwith issue the certified copy of the order dated 18.05.2026 made in CrI.M.P.No.1204 of 2026 filed by the first respondent. For a period of 15 days after issuing the certified copy of the order, no warrant shall be issued to the Advocate Commissioner and if the warrant has already been issued, it shall not be executed for the said period of 15 days.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S.,J.) (V.L.N.,J.)
21-05-2026

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

KST

To

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**G.R.SWAMINATHAN J.
AND
V.LAKSHMINARAYANAN J.**

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