



WEB COPY



WP.No.47805 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

WP.No.47805 of 2025

WMP.Nos.53376, 54954 and 54957 of 2025

R.Sethumadhavan

Petitioner

Vs

- 1.State Bank of India, SARB-II Branch,
- 2.represented by its Chief Manager
- 3.Chennai 600018
- 4.
- 5.S.Vijayalakshmi

Respondent

Prayer:- This Writ Petition is filed, under the Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records from the Debt Recovery Appellate Tribunal at Chennai in IA.No.1411 of 2025 (Waiver) in AIR(SR)No.2173 of 2025, dated 12.11.2025 and to quash the same and to direct the 1st Respondent not to disturb the Petitioner's peaceful possession of the Petitioner's property under the SARFAESI Act, 2002.

For Petitioner :

Mr.D.Dhayalan

For Respondent :

Mr.K.Chandrasekaran-R1

ORDER

(Order of the Court was delivered by R.Suresh Kumar, J.)

6.This Writ Petition is filed to issue a Writ of Certiorarified Mandamus, to call for

the records from the Debt Recovery Appellate Tribunal at Chennai in



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IA.No.1411 of 2025 (Waiver) in AIR(SR)No.2173 of 2025, dated 12.11.2025

and to quash the same and to direct the 1st Respondent not to disturb the Petitioner's peaceful possession of the Petitioner's property under the SARFAESI Act, 2002.

7.Heard Mr.D.Dhayalan, the learned counsel for the Writ Petitioner and Mr.K.Chandrasekaran, the learned counsel for the 1st Respondent.

8.It is the case of the Writ Petitioner that he is only the owner of the property in question and he is neither a borrower nor a guarantor. Despite that, his property has been involved in the SARFAESI proceedings, initiated by the Respondent Bank, against which, the matter has gone to the Debt Recovery Tribunal III, Chennai, in SA.No.386 of 2025 and in IA.No.1380 of 2025 in SA.No.386 of 2025, a conditional order, dated 14.10.2025, has been passed, against which, he preferred an appeal before the Debt Recovery Appellate Tribunal, Chennai, in AIR(SR)No.2173 of 2025 and also filed an application in IA.No.1411 of 2025 in AIR(SR)No.2173 of 2025, which is a waiver application, wherein also a conditional order, dated 12.11.2025 has been passed by the Debt Recovery Appellate Tribunal, Chennai.

9.The said waiver application has been considered and disposed of by the Debt Recovery Appellate Tribunal, Chennai, by the impugned order, dated 12.11.2025, by which 30% of the amount has been directed to be deposited in two instalments. Aggrieved over the same, the present Writ Petition has been filed.

10.Since the said waiver application having been entertained by a conditional order, directing payment of 30% of the amount, that too, by way of two



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instalments, it is a reasonable order, as against which, no reasonable ground could be raised by the Writ Petitioner. Hence, this Writ Petition cannot be entertained and it is liable to be dismissed. Accordingly, this Writ Petition is dismissed. There is no order as to costs. No costs. Consequently, the connected WMPs are closed.

11.

(R.S.K.J.) & (S.S.A.J.)
07.01.2026

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Neutral Citation
Srcm

To

12.The State Bank of India, SARB-II Branch, represented by its Chief Manager,
Chennai 600018



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R.SURESHKUMAR, J.
and
SHAMIM AHMED, J.

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