



WP No. 50071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**WP No. 50071 of 2025
AND WMP NO. 56011 OF 2025**

The Authorized Officer
M/s.LIC Housing Finance Ltd.,
Harrington Chamber, Block No.C,No.30/1A,
Abdul Razack 1st Street, Saidapet, Chennai- 600 015.

..Petitioner

Vs

1. D.R.Premchander
S/o.Late D.S.Rajan, No.G4, Rams Apartments
Bharathiyar 5th Street, SS Colony, Madurai- 625 010.
2. Haseena Parveen, D/o.M.R.Sheik Abdul Rahim, No.20,
Big Mosque Street, Elis Road, Chennai- 600 002.
3. The Senior Manager
Punjab National Bank, Asset Recovery Management
branch, Khivraj Buildings,
First Floor, No.624, Anna Salai,Chennai- 600 006.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the Impugned order dated 09.09.2025 passed in R.A. (S.A) No.18 of 2018, on the file of the Honble DRAT, Chennai and modify the same, cancelling the interest and charges awarded to the 2nd respondent and to refund sale consideration price alone to the Auction purchaser by the petitioner.



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For Petitioner :

Mr.R.Imayavaramban
for M/s.Ramalingam And Assocaites

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

This writ petition has been filed against the order passed by the Debts Recovery Appellate Tribunal (DRAT) at Chennai dated 09.09.2025 made in R.A.(S.A.) No.18 of 2018 arising out of S.A.No.11 of 2014 on the file of the Debts Recovery Tribunal (DRT)-I, Chennai. The operative portion of the order impugned reads thus,

" 27. In this view of the matter, the following order is passed.

(a) This Tribunal confirms the order of the learned Presiding Officer, DRT-I, Chennai dated 31.08.2007 passed in SA 11/2024 for the reasons stated above and dismiss the appeal.

(b) The sale held in favour of the second respondent dated 23.12.2013 is set aside.

(c) The appellant is directed to refund the sale consideration with 6% interest per annum (simple) to the second respondent / auction purchaser from the date of deposit made by her and also the stamp duty and the registration charges incurred by the second respondent with interest at 6% (simple) from the date of payment made by her, till the date of payment.

(d) The appellant is entitled to proceed for taking fresh sale measures under the SARFAESI Act.

28. In the result, Appeal RA(SA) No.18/2018 is dismissed, with the above directions. Parties are directed to bear their own costs.

29. Pending IAs, if any, shall stand closed."



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2. Though this writ petition has been filed challenging the above order, learned counsel for the petitioner would submit that, insofar as the setting aside of the sale is concerned and also the further direction to return back the money to the auction purchaser, as confirmed by the DRAT is acceptable to the petitioner. However, according to the learned counsel for the petitioner, ordering of 6% interest payable from the date of deposit of money by the auction purchaser is the only offending portion.

3. We are not impressed with the said stand taken by the petitioner for the simple reason that, when the sale has been set aside and the money has been directed to be returned to the auction purchaser with interest of 6% per annum, which is confirmed by the appellate tribunal, refusing to pay the interest, that too simple interest at the rate of 6% to the auction purchaser, is not acceptable and therefore, we do not find any reason to interfere with the order passed by the DRAT dated 09.09.2025.

4. In that view of the matter, this writ petition is liable to be dismissed and accordingly it is dismissed. No costs. Consequently connected miscellaneous



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petition is closed. The order passed by the DRAT dated 09.09.2025 shall be complied with by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

(R.S.K.,J.) (S.S.A.,J.)
06-01-2026

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

KST

To

1. The Senior Manager
Punjab National Bank, Asset Recovery
Management branch, Khivraj Buildings, First Floor,
No.624, Anna Salai, Chennai- 600 006.
2. The Chair Person
Debts Recovery Appellate Tribunal
Chennai.



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AND
SHAMIM AHMED J.**

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