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W.P.(MD) No.1915 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD) No.1915 of 2026

and

W.M.P.(MD) Nos.1506 & 1509 of 2026

Murugan

... Petitioner

-vs-

1.APTUS Value Housing
Finance India Ltd.,
Nagercoil-II Branch
rep.by K.Palaniyappan
Area Manager & Authorized Officer
No.189/2, Swarnams Ark
K.P.Road, Derik Junction
Nagercoil-629 001
Kanyakumari District

2.The Ombudsman
Reserve Bank of India
Chennai

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to impugned order passed by the order of the learned Chief Judicial Magistrate Court, Kanyakumari District at Nagercoil in Cr.M.P.No.4744 of 2024 dated 26.09.2024 to quash the same as illegal and consequently direct 1st respondent to hand over the possession of the petitioner's property in Kanyakumari District, Kanniyakumari Registration District, Palliyadi Sub Registration District, Kalkulam Taluk, Valvachakostam Village, Thittumelknam Desam, Palliyadi Oor, Valvachakostam Town Panchayat, Old S.No.3558 consists 7 acre 52 cents at Muthukattu Mundavilai, R.S.No. 509/1B, in which consists 1.500 cents (653.4 Sq.feet) of land with bearing building Old No.18/55-1, now 18/56 and EB connection No.197-007-284 to the petitioner forthwith by accepting OTS proposal of the petitioner.

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.K.R.Laxman for R2



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ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

This writ petition has been filed challenging the order dated 26.09.2024, passed in Cr.M.P.No.4744 of 2024, by the learned Chief Judicial Magistrate, Kanniyakumari District @ Nagercoil, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. A perusal of the records shows that challenging the order passed by the learned Chief Judicial Magistrate, the petitioner has already approached the Debts Recovery Tribunal by filing S.A.No.16 of 2025, wherein, by an order dated 24.06.2025 in I.A.No.140 of 2025, the Debts Recovery Tribunal has given reprieve to the petitioner by directing him to pay the due amount in 10 equal monthly installments and directed the respondent – Bank not to take any coercive steps till such time. It is seen that the petitioner has not paid even one installment and after a lapse of seven installments' period, he has filed this writ petition challenging the order passed by the learned Chief Judicial Magistrate, which has already been challenged before the Debts Recovery Tribunal by filing S.A.No.16 of 2025, wherein a conditional interim



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order has also been passed. In such circumstances, we find no merit in this writ petition and the same is, therefore, liable to be dismissed.

3. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] [K.K.R.K., J.]

27.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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DR.G.JAYACHANDRAN, J.
AND
K.K.RAMAKRISHNAN, J.

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and
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