



WEB COPY

W.P.(MD) No.3823 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2026

CORAM:

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

**W.P.(MD) No.3823 of 2026
and
W.M.P.(MD) Nos.3134 & 3136 of 2026**

B.Shamundeeswari

... Petitioner

-VS-

1.The Chief Manager /
Authorized Officer
South Indian Bank Ltd.,
Regional Office at Madurai
1st Floor, YMCA Building
Opposite to Astoria Hotels
70 Feet Road, Ellis Nagar
Madurai-625 016

2.B.Karunyadevi
D/o.T.Baskaran
Prop.of M/s.Manish Pyro Oil
No.4/46, Sholavanthan Road
Nagari, Madurai

3.T.Baskaran

... Respondents



W.P.(MD) No.3823 of 2026

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records of the E-Auction sale notice in Ref.RO/SAR/SN/47/2025-26 dated 22.01.2026 issued by the 1st respondent to quash the same.

For Petitioner : Mr.H.Velavadhas

ORDER

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

This writ petition is filed challenging the e-auction sale notice, dated 22.01.2026, issued by the respondent - Bank.

2. The case of the petitioner herein is that the property, which is now subjected to the e-auction, is not the absolute owner of the debtor, who has availed loan from the respondent – Bank. The petitioner herein is also having a share in the subject property and a suit is also pending before the Civil Court in respect of the subject property. When this fact was brought to the notice of the Debts Recovery Tribunal by her, the Debts Recovery Tribunal, Madurai, vide order dated 09.12.2025, in I.A.No.4845 of 2025 in S.A.No.1001 of 2025, had not considered the same and passed the following order:



WEB COPY



W.P.(MD) No.3823 of 2026

“Without going into merits, considering the submissions of both sides' counsels, Ad-Interim stay is granted to R-1 to proceed with the sale but not to confirm the sale till 10.03.2026 pursuant to the sale notice dated 14.11.2025, with respect to the petition schedule mentioned property, if the sale is so held, subject to payment of the entire suit amount (i.e., Rs.1,60,12,532.26/-) in 3 equal installments by R-2 & R-3 (Last installment with subsequent interest and cost) directly to the 1st Respondent Bank as mentioned here under:

<i>Installment</i>	<i>Date (on or before)</i>	<i>Amount</i>
<i>1st installment</i>	<i>09.01.2026</i>	<i>Rs.53,38,000/-</i>
<i>2nd installment</i>	<i>09.02.2026</i>	<i>Rs.53,38,000/-</i>
<i>3rd installment</i>	<i>09.03.2026</i>	<i>Rs.53,36,532.26/- (+subsequent interest and cost)</i>

However, in the event of failure to pay any one of the installments as ordered above, the Respondents are at liberty to proceed further and the Saty shall stand vacated automatically. If the Petitioner complies with the order, the stay granted shall be made absolute, pending disposal of the SA.”



W.P.(MD) No.3823 of 2026

WEB COPY

3. This Court finds no merit in the contentions of the petitioner for the reason that for the loan availed by one Karunyadevi, proprietrix of M/s.Manish Pyro Oil, recovery proceedings have been initiated by the respondent – Bank. The property, which is now subjected to the e-auction, is held in the name of one Baskaran and it has been given by the debtor as a surety to the respondent – Bank for the loan availed by the said Karunyadevi. Both the said Karunyadevi and Baskaran are shown as respondents in the application filed by the petitioner herein before the Debts Recovery Tribunal, wherein the above order has been passed. The petitioner herein is none other than the daughter of the said Baskaran. If at all the petitioner herein has any right over the subject property, first she has to establish her title before the competent Civil Court and before establishing her right over the subject property, the petitioner herein has no right to interfere with the sale proceedings initiated by the respondent – Bank and hence, we are not inclined to entertain this writ petition.



WEB COPY

W.P.(MD) No.3823 of 2026

4. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

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

11.02.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk



WEB COPY



W.P.(MD) No.3823 of 2026

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

krk

W.P.(MD) No.3823 of 2026
and
W.M.P.(MD) Nos.3134 & 3136 of 2026

11.02.2026