



W.P(MD)No.7363 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.P(MD)No.7363 of 2026

Rajalakshmi

... Petitioner

VS.

The Authorized Officer,
Canara Bank, East Veli Street Branch,
359, A East Veli Street,
Madurai – 625 001.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to open the seal door in Plot No.92, P.K.Residency Phase II S.No.134/4A2, 134/4B, 134/4C, 134/4D Pothumbu II Bit Village, Pothumbu, Madurai – 625 018.

For Petitioner : Mr.S.Pugalendhi

For Respondent : Mr.C.Karthik
Standing Counsel



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ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petitioner has filed the present Writ Petition seeking a direction to the respondent to open the sealed premises in Plot No.92, P.K. Residency Phase II, comprised in S.Nos.134/4A2, 134/4B, 134/4C and 134/4D, Pothumbu II Bit Village, Pothumbu, Madurai.

2.According to the petitioner, she had availed a loan from the respondent Bank and had been regularly paying the EMI till 2025. Since she defaulted in repayment thereafter, the respondent Bank issued a demand notice dated 28.04.2025 for a sum of Rs.19,02,762.96/- and subsequently issued a notice under Section 13(2) of the SARFAESI Act. Thereafter, on 12.09.2025, an e-auction notice was issued. Challenging the same, the petitioner filed S.A.No.740 of 2025 in I.A.No.4131 of 2025 before the Debts Recovery Tribunal, Madurai. By order dated 16.10.2025, the Tribunal granted interim relief on condition that the petitioner shall pay 40% of the



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total dues in four equal instalments directly to the respondent Bank.

However, the petitioner failed to comply with the said condition. Subsequently, the respondent Bank filed Crl.M.P.No.360 of 2026 before the learned Chief Judicial Magistrate, Madurai, and by order dated 30.01.2026, an Advocate Commissioner was appointed to take possession of the secured asset. Thereafter, on 10.03.2026, the Advocate Commissioner, along with police officials, took possession and sealed the premises. Aggrieved by the same, the present Writ Petition has been filed.

3.The learned standing counsel appearing for the respondent submitted that though the petitioner had obtained a conditional interim order from the Debts Recovery Tribunal, Madurai, she failed to comply with the same within the time granted, i.e., up to 18.02.2026. In view of such non-compliance, possession of the secured asset was taken in accordance with law and the property has also been sold.



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4. In the light of the above, we are of the view that the petitioner, having approached the Debts Recovery Tribunal and obtained a conditional order, cannot be permitted to invoke the writ jurisdiction of this Court without complying with the said condition. The petitioner has an effective alternative remedy under the SARFAESI Act, and in the absence of compliance with the conditional order passed by the Tribunal, no interference is warranted in the proceedings initiated under Section 14 of the SARFAESI Act. Accordingly, this Writ Petition is liable to be dismissed and is, therefore, dismissed. No costs.

[N.S.K.,J.] [M.J.R.,J.]
17.03.2026

NCC : Yes / No
Index : Yes / No
ps

To

The Authorized Officer,
Canara Bank, East Veli Street Branch,
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N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
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