



W.P.Crl.(MD)No.1687 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2026

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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Canara Bank,
ARM Branch,
1st Floor, Circle Office Madurai,
ST.Mary's Campus,
East Veli Street, Madurai – 625 001,
Represented by its Authorized Officer.

... Petitioner

Vs.

1. The Superintendent of Police,
Karur District, Karur.
2. The Deputy Superintendent Of Police,
Aravakurichi, Karur District.
3. The Inspector of Police,
Aravakurichi Police Station,
Aravakurichi, Karur District.
4. E.N.Dineshraj
5. R.Sivasankar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent police to issue adequate Police Protection to the Life and Limb of the officials of the Petitioner Bank, their staff, agents, Purchasers and their workman while removing the Movable Properties (Machineries) from SF No.468-2, Andipatti Kottai, near



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NH7, Thethupatti Village and Panchayat, Aravakurichi Taluk, Karur District
639 001.

For Petitioner : Mr.P.Pethu Rajesh
For Respondents : Mr.M.Sakthi Kumar (R1 to R3)
Government Advocate (Crl.)
No appearance (R4 & R5)

ORDER

This writ petition has been filed seeking for a direction to the respondent police to issue adequate police protection to the life and limb of the officials of the petitioner bank, their staff, agents, purchasers and their workmen, while removing the Movable Properties (Machineries) from SF No.468-2, Andipatti Kottai, near NH7, Thethupatti Village and Panchayat, Aravakurichi Taluk, Karur District.

2. The petitioner is a bank, from whom a partnership firm, namely M/s.RMPR Trading firm through its partners, private respondents herein, availed credit facilities. The loan availed by the said firm subsequently defaulted and became non-performing asset on 11.08.2024. Thereafter, proceedings under the SARFAESI Act were initiated, and a demand notice dated 13.08.2024 was issued by the Canara Bank, Regional Office, Madurai, demanding a sum of Rs.10,30,91,646.51/- as on 31.07.2024. Subsequently, a



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possession notice dated 07.11.2024 was issued calling upon the borrowers to pay the said amount. Pursuant thereto, the petitioner Bank filed an application under Section 14 of the SARFAESI Act in Crl.M.P.No.485 of 2025 before the learned Chief Judicial Magistrate, Karur, which was allowed on 04.03.2025. Accordingly, possession of the hypothecated machinery and mortgaged immovable properties was taken on 21.06.2025. Another mortgaged immovable property was also taken possession of on 21.02.2025 with the assistance of an Advocate Commissioner.

3. The petitioner Bank issued an e-auction sale notice dated 10.11.2025 to the firm and its partners, fixing the auction on 29.11.2025 in respect of the movable assets and one of the immovable properties. In the said auction, the hypothecated machinery was sold to one Sahil Metal for a sum of Rs.1,10,05,000/-, and the sale was confirmed on 30.12.2025. Challenging the same, the borrowers filed S.A.No.1019 of 2025 before the Debts Recovery Tribunal, Madurai, wherein an interim order of stay was granted permitting the Bank to proceed with the sale but restraining it from confirming the same till 06.04.2026, subject to the condition that the borrowers pay 35% of the outstanding dues in four equal installments. As the borrowers failed to comply with the said condition, the interim order stood automatically vacated.



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Consequently, the sale was confirmed and a sale certificate was issued to the successful bidder on 30.12.2025.

4. However, even thereafter, the successful bidder was obstructed by the borrowers (respondents 4 and 5) from taking possession of the immovable properties. In this regard, the petitioner Bank submitted a representation to the respondent police on 24.02.2026. Despite the same, no action has been taken so far. Hence, the present petition has been filed.

5. The learned Government Advocate appearing for the respondent police submitted that the complaint has been received and the same is pending.

6. Heard the learned counsel on either side and carefully perused the materials placed before this Court. Though notice has been served on the private respondents and their names have been printed in the cause list, none has entered appearance on their behalf.

7. Considering the submissions made on either side, the second respondent police is directed to issue summons to the petitioner as well as respondents 4 and 5 under Section 64 of the BNSS and call upon them to



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produce the necessary materials in support of their respective claims.

Thereafter, if the claim of the petitioner bank is found to be genuine, the third respondent police is further directed to facilitate the petitioner bank in taking possession of the subject property by providing necessary police protection.

8. With the above direction, this writ petition is disposed of.

16.04.2026

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 20.04.2026.

TO:-

1. The Superintendent of Police,
Karur District, Karur.
2. The Deputy Superintendent Of Police,
Aravakurichi, Karur District.
3. The Inspector of Police,
Aravakurichi Police Station,
Aravakurichi, Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
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Dated
16.04.2026