



C.R.P(MD)No.1126 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

**C.R.P(MD)No.1126 of 2021
and
C.M.P(MD)Nos.6574 of 2021
& 2644 of 2022**

A.Muthuraja

... Revision Petitioner

Vs.

1.The Authorized Officer,
State Bank of India,
Kumaram Branch,
Alanganallur Main Road,
Kumaran Post,
Madurai – 625 018.

2.The Branch Manager,
State Bank of India,
Kumaram Branch,
Alanganallur Main Road,
Kumaran Post,
Madurai – 625 018.

... Respondents



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PRAYER:- Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the order in I.A.No.603 of 2021 in S.A.No.10 of 2021 dated 20.04.2021 passed by the Debts Recovery Tribunal, Madurai and set aside the same.

For Petitioner : Mr.K.C.Ramalingam
For R – 1 : No appearance
For R – 2 : MrV.P.Rajan

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

This Civil Revision Petition has been filed as against the order passed in I.A.No.603 of 2021 in S.A.No.10 of 2021 dated 20.04.2021, on the file of the Debts Recovery Tribunal, Madurai, whereby the interim order granted in favour of the petitioner was vacated.



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2.The petitioner availed housing term loan from the second respondent Bank to the tune of Rs.8,90,000/- by mortgaging the property situated at Plot No.28, comprised in Survey No.91/10B, admeasuring an extent of 1252 square feet at Ariyur Village, Madurai North Taluk, Madurai District. Due to loss in his business, he was not able to pay the monthly instalments properly and committed default. Therefore, the first respondent issued a demand notice under Section 13(2) of the SARFAESI Act on 22.02.2020, calling upon the petitioner to pay a sum of Rs.8,72,532/-. However, the petitioner did not comply with the said demand and as such, the first respondent issued paper publication to take possession of the subject property. Challenging the same, the petitioner filed S.A.No. 10 of 2021 before the Debts Recovery Tribunal, Madurai. He also filed an application in I.A.No.38 of 2021 seeking an interim order of stay of all further proceedings pursuant to the possession notice dated 20.10.2020 issued by the first respondent.



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5.At the time of admission, this Court, by order dated 12.08.2021, granted interim stay in this Civil Revision Petition on condition that the revision petitioner shall pay a sum of Rs.1,31,000/- to the second respondent on or before 19.08.2021. The said condition has been duly complied with by the petitioner.

6.In view of the above, the order passed in I.A.No.603 of 2021 in S.A.No.10 of 2021 dated 20.04.2021, on the file of the Debts Recovery Tribunal, Madurai, cannot be sustained and the same is liable to be set aside.

7.Accordingly, the order passed in I.A.No.603 of 2021 in S.A.No.10 of 2021 dated 20.04.2021, on the file of the Debts Recovery Tribunal, Madurai, is set aside and the Civil Revision Petition is allowed. The Tribunal is directed to dispose of S.A.No.10 of 2021 within a period of three months from the date of receipt of a copy of this order. It is also made clear that the interim order granted



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by the Tribunal in I.A.No.38 of 2021 shall continue till the disposal of S.A.No.10 of 2021. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes/No
Index : Yes/No
ps

[G.K.I.J.] & [K.R.J.]
02.01.2026



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To

- 1.The Debts Recovery Tribunal,
Madurai.
- 2.The Section Officer (Vernacular Records),
Madurai Bench of Madras High Court,
Madurai.



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G.K. ILANTHIRAIYAN, J.
AND
KRISHNAN RAMASAMY, J.

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