



W.P(MD)No.16373 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2026

CORAM:

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

**W.P(MD)No.16373 of 2026
and
W.M.P(MD)No.12210 of 2026**

M.Sangeetha Rani

... Petitioner

vs.

1.M/s.Equitas Small Finance Bank Limited,
Represented by its Authorized Officer,
4th Floor, Phase 11, Spencer Plaza,
Anna Salai, Chennai - 600 002.

2.Kaleeswari
3.Ranjithkumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records relating to the order passed in Cr.M.P.No.1240 of 2026 dated 07.03.2026 by the Chief Judicial Magistrate, Madurai District, and quash the same as being illegal, arbitrary, and violative of the principles of natural justice and the petitioner's



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fundamental rights and further direct the first respondent to restore physical possession of the property to the petitioner, if the same has been taken pursuant to the impugned order.

For Petitioner : Mr.C.Selvakumar

ORDER

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

This Writ Petition has been filed challenging the order passed by the learned Chief Judicial Magistrate, Madurai, under Section 14 of the SARFAESI Act for taking possession of the secured asset.

2.The petitioner, claiming to be a Class-I legal heir of late.Muthaiah, has filed the present Writ Petition challenging the order dated 07.03.2025 passed by the learned Chief Judicial Magistrate, Madurai, in Cr.M.P.No.1240 of 2026 under Section 14 of the SARFAESI Act. According to the petitioner, the ancestral property situated at Door No.3/82, Kalimangalam Village, belonged to the deceased Muthaiah. After his demise, the third respondent, who is one of the legal heirs, executed a Gift Deed in



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favour of his wife, the second respondent, and subsequently executed a Rectification Deed, despite the title to the property being under dispute among the legal heirs.

3.The petitioner contends that the first respondent-Bank obtained the impugned order for taking possession of the property without impleading or issuing notice to the petitioner and the other legal heirs, thereby violating the principles of natural justice. It is further alleged that the third respondent had no exclusive right to alienate or mortgage the ancestral property without the consent of the other co-heirs. Aggrieved by the order passed by the learned Chief Judicial Magistrate and alleging suppression of material facts on the part of the Bank, the petitioner has filed the present Writ Petition seeking to quash the impugned proceedings.

4.It is well settled that an order passed under Section 14 of the SARFAESI Act is in the nature of a ministerial act intended to facilitate the secured creditor in taking possession of the secured asset. If any person is



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aggrieved by the measures taken under the provisions of the SARFAESI Act, the appropriate remedy is to approach the Debts Recovery Tribunal in the manner known to law.

5.In view of the availability of an effective alternative statutory remedy, we are not inclined to entertain the present Writ Petition. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
17.06.2026

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

M/s.Equitas Small Finance Bank Limited,
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and
M.JOTHIRAMAN, J.

ps

ORDER MADE IN
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