



W.P(MD)No.16325 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2026

CORAM:

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

**W.P(MD)No.16325 of 2026
and
W.M.P(MD)Nos.12176 & 12177 of 2026**

A.Daisy Rani

... Petitioner

vs.

1.The Banking Ombudsman,
Reserve Bank of India Building,
No.16, Rajaji Road,
Chennai – 600 009.

2.The Chief Manager/Authorized Officer,
Indian Overseas Bank,
Regional Office,
Thoothukudi.

3.The Branch Manager,
Indian Overseas Bank,
Tuticorin - Pearl City Branch,
148B, New Colony, Devarpuram Road,
Thoothukudi – 628 003.



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4.The Sub Registrar,
Sub Registration Office,
Pudukkottai,
Thoothukudi District.

5.Maheswari

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the second respondent impugned sale certificate bearing document No.8012 of 2025 dated 17.12.2025 and quash the same as illegal, arbitrary and consequently direct the 2nd and 3rd respondents to accept the D.D Rs.13,58,000/- and to close the petitioner Loan Account No. 132603351500010 and to return all original Documents to the petitioner within the time limit stipulated by this Court.

For Petitioner : Mr.A.D.Ganesha Moorthi

For Respondents : Mr.K.R.Laxman (R1)

: Mr.Y.Jagadish (R2 & R3)

: Mr.C.Jeganathan (R4)
for State



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ORDER

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

Challenging the sale certificate issued by the second respondent, the petitioner has filed the present Writ Petition seeking to quash the same and consequently direct the respondents 2 and 3 to accept the Demand Draft for a sum of Rs.13,58,000/-, close the petitioner's Loan Account No. 132603351500010, and return the original title deeds and other connected documents within a time frame to be stipulated by this Court.

2.The grievance of the petitioner is that the respondents 2 and 3 proceeded with the auction sale of the petitioner's residential property and issued a sale certificate in favour of the fifth respondent on 17.12.2025, allegedly in violation of the interim order passed by the Debts Recovery Tribunal, Madurai. The petitioner contends that, despite his readiness and willingness to discharge the outstanding dues, the bank proceeded with coercive measures and obtained an order for taking physical possession from



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the Chief Judicial Magistrate, Thoothukudi. According to the petitioner, though proceedings challenging the same were pending before the Debts Recovery Tribunal, the bank officials attempted to take possession of the property on 06.06.2026 with the assistance of police and other officials. It is the petitioner's case that the actions of the respondents 2 and 3 are illegal, arbitrary, and contrary to the proceedings before the Tribunal.

3.The sole contention of the learned counsel appearing for the petitioner is that, despite the petitioner having paid the amount as directed by the Debts Recovery Tribunal, the respondents proceeded to issue the sale certificate.

4.Heard the learned counsel appearing on either side and perused the materials available on record.

5..The petitioner's loan account was classified as a Non-Performing Asset, pursuant to which proceedings were initiated under the SARFAESI Act. The petitioner challenged the same by filing



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S.A.No.833 of 2025 before the Debts Recovery Tribunal, Madurai, wherein the Tribunal passed the following order:

“Without going into the merits of the case and considering the submissions of both sides' counsels, the Respondent Bank is directed not to issue sale certificate till 30.12.2025 pursuant to the sale notice dated 04.09.2025, with respect to the petition schedule mentioned properties, if the sale is so held, subject to payment of the entire suit amount (i.e.,Rs. 35,62,010.19/-) in 3 equal installments (Last installment with subsequent interest and cost) and also directed to pay (approximately Rs.7,00,000/-) for entire vehicle loan amount directly to the 2nd Respondent Bank as mentioned here under:

<i>Installment</i>	<i>Date (on or before)</i>	<i>Amount</i>
<i>1st Installment</i>	<i>29.10.2025</i>	<i>Rs.11,88,000/-</i>
<i>2nd Installment</i>	<i>29.11.2025</i>	<i>Rs.11,88,000/-</i>
<i>3rd Installment</i>	<i>29.12.2025</i>	<i>Rs.11,86,010/- (+ 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 stay shall stand vacated automatically. If



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6.The learned counsel for the petitioner would submit that the first instalment, as directed by the Debts Recovery Tribunal, was paid on 29.10.2025 and that when the petitioner tendered a Demand Draft towards the third instalment on 15.12.2025, the same was refused by the bank. According to the learned counsel, the issuance of the sale certificate is, therefore, unsustainable.

7.However, when a specific query was posed by this Court regarding payment of the second instalment, which was required to be paid on or before 29.11.2025, no satisfactory answer was forthcoming from the learned counsel for the petitioner. On the contrary, an attempt was made to contend that certain amounts already paid ought to have been adjusted towards the said instalment. Such a submission itself indicates that the petitioner is seeking to project a case before this Court which is at variance with the stand taken before the Debts Recovery Tribunal.



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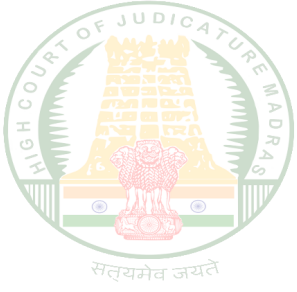
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8. Admittedly, the conditional order passed by the Debts Recovery Tribunal has not been complied with in its entirety. In such circumstances, we find no merit in the present Writ Petition.

9. Accordingly, the Writ Petition stands dismissed. It is always open to the petitioner to challenge the sale certificate before the appropriate forum in the manner known to law, if so advised. No costs. Consequently, connected Miscellaneous Petitions are closed.

[N.S.K.,J.] [M.J.R.,J.]
15.06.2026

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