



W.P.(MD) No.1573 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2026

CORAM:

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.1573 of 2026

M/s. Ugro Capital Limited,
Represented by its Authorized Officer,
N.Aravindhnan,
S/o. Neethivendhan,
Having Branch Office At
No. 48 A, New Millennium Complex,
3rd Floor, Pandian Nagar, Bye Pass Road,
Kalavasal – 625 016.

... Petitioner

-VS-

1. M/s.Alavu Sapadu (Borrower),
YMR Patty Ward 19,
Dindigul Post Office,
Dindigul 624 001.

Also At.

TS No.1805 1 Door No.51A 6th Ward,
Yadhava Metturajakkapatti Gopal Nagar,
Dindigul Joint I SRO Dindigul Town
Dindigul Registration,
District Dindigul 624 001.



W.P.(MD) No.1573 of 2026

WEB COPY

2. Shilvan Amutha (Co-Applicant),
119/1 4ST Street Gopal Nagar Temple,
Dindigul 624 001

Also At.

TS No.1805 1 Door No.51A 6th Ward,
Yadhava Metturajakkapatti Gopal Nagar,
Dindigul Joint I SRO Dindigul Town
Dindigul Registration,
District Dindigul 624 001.

3. Murugesan Sridhar (Co-Applicant),
119/1 4ST Street Gopal Nagar Temple,
Dindigul 624 001.

Also At.

TS No.1805 1 Door No.51A 6th Ward,
Yadhava Metturajakkapatti Gopal Nagar,
Dindigul Joint I SRO Dindigul Town
Dindigul Registration,
District Dindigul 624 001.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a WRIT OF MANDAMUS, directing the Learned Chief Judicial Magistrate, Dindigul to number and dispose of the application in CrI.MP. Sr. No.8033 of 2025, on the file of the Learned Chief Judicial Magistrate, Dindigul filed under section 14 of SARFAESI ACT for taking physical possession of the property situated at TS.No. 1805/1, located Gopal Nagar, Meturajakaapatti, 6th ward Dindigul Town, Dindigul District, without insisting for the registered Memorandum of Deposit of title deeds on representing the application.



W.P.(MD) No.1573 of 2026

WEB COPY

For Petitioner : Mr.K.Kharikhardas

ORDER

[Order of the Court was made by N.SATHISH KUMAR, J.]

This Writ Petition is filed seeking a direction to the Learned Chief Judicial Magistrate, Dindigul to number and dispose of the application in CrI.MP. Sr. No.8033 of 2025, on the file of the Learned Chief Judicial Magistrate, Dindigul filed under section 14 of SARFAESI ACT for taking physical possession of the property situated at TS.No. 1805/1, located Gopal Nagar, Meturajakaapatti, 6th ward Dindigul Town, Dindigul District, without insisting for the registered Memorandum of Deposit of title deeds on representing the application.

2. The learned counsel appearing for the petitioner submitted that the petitioner has filed an application seeking to appoint an Advocate Commissioner for taking physical possession for the mortgaged property situated at TS.No. 1805/1, located Gopal Nagar, Meturajakaapatti, 6th ward Dindigul Town, Dindigul District. However, the said petition was returned



W.P.(MD) No.1573 of 2026

seeking production of registered Memorandum of Deposit of Title Deeds (MODT). Since the said petition was returned, the petitioner is not in a position to secure the assets. Hence, the petitioner has filed this Writ Petition.

3. We have perused the records.

4. Considering the facts and circumstances of the case, this Court is of the view that the application filed under Section 14 of the Act should be disposed of within 30 days.

5. The Apex Court, in *R.D.Jain and Company vs. Capital First Limited and others*¹, has categorically held that while passing order under Section 14 of the SARFAESI Act, the powers of the Chief Judicial Magistrate are only ministerial in nature and no judicial adjudication is attracted. If that be the position, the application has to be disposed of and the order has to be passed within mandatory period as stipulated. Instead of passing order, keeping the matter pending is not correct as per law.

¹(2023) 1 SCC 675



W.P.(MD) No.1573 of 2026

WEB COPY

6. In view of the above, this Court directs the Chief Judicial Magistrate, Dindigul to pass orders on the application filed in CrI.MP. Sr. No. 8033 of 2025 under Section 14 of the SARFAESI Act by the petitioner within a period of thirty (30) days from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

[SUSHRUT ARVIND DHARMADHIKARI, C.J.]

[N.SATHISH KUMAR, J.]

30.03.2026

NCC : Yes / No

Index : Yes / No

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WEB COPY



W.P.(MD) No.1573 of 2026

THE HON'BLE CHIEF JUSTICE
and
N.SATHISH KUMAR, J.

vsm

W.P.(MD) No.1573 of 2026

30.03.2026