

**IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE,
MAYILADUTHURAI.**

Present :

Tmt. S. Tamilselvi, B.A., L.L.M., Dip. In (J.J & J.P)

Chief Judicial Magistrate.

Mayiladuthurai.

Monday, the 24th day of July, 2026.

Criminal Miscellaneous Petition No.1313/2026.

Petitioner : M/s. Manappuram Home Finance Limited,
Branch office at :
Nallaiyah shopping complex 2nd Floor,
No.70, Srinivasam Pillai Road,
Thanjavur, Tamil Nadu State.
Rep by its Authorized Officer,
Mr. Mahesh Kumar,
Mayiladuthurai Divisional Branch Manager,
Manappuram Home Finance Limited.

Respondents : 1. Mr. Gowthaman, S/o. Palaniyandi,
No.13, South Ariyanattu Street,
Tharangambadi Taluk, Mayiladuthurai District.
2. Gangaiyakani, W/o. Gowthaman,
No.13, South Ariyanattu Street,
Tharangambadi Taluk, Mayiladuthurai District.

The Petition was taken on file 09.06.2026 and coming on 24.07.2026 for final hearing before this court in the presence of Mr. S. Gopinath the learned counsel for

the Applicant/secured creditor and upon hearing the arguments and on perusal records this court passed the following

ORDER

1. The Petitioner filed this application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.[SARFAESI Act] along with an affidavit duly affirmed by the authorized officer of the Petitioner seeking assistance of this court to take possession of the secured asset.

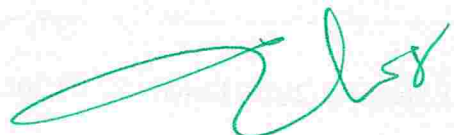
2. Heard the learned counsel for the Petitioner and the affidavit of authorized officer of the Applicant/secured creditor and records perused.

3. It is the contentions of the authorized officer, that the Petitioner sanctioned a loan in favour of the Respondents and the said loan was secured by a registered deed created by borrower in favour of Petitioner. The Respondents committed default in repayment of the said loan and the loan account was assessed as a Non - Performing Asset (NPA). The Petitioner bank issued a notice under section 13 (2) of the SARFAESI Act calling upon Respondents to pay the amount. A public notice was also issued by the Petitioner in newspapers. However, the Respondents did not pay the loan amount and thereafter, the Petitioner filed this application seeking assistance of the court, for taking physical possession of the secured assets.



4. It is settled law, that the power of the court described in Section 14 of the SARFAESI Act is ministerial in nature and there is no adjudicatory process and notice to the borrowers is not necessary. Here in this petition, the provisions of SARFAESI Act and the rules made there under had been complied with properly and on the side of the Petitioner PW1 Authorized Officer Mr. M. Mahesh Kumar examined and Ex.P.1 to Ex.P.20 were marked and this court is satisfied with the contents of the affidavit filed by the authorized officer of the Petitioner and also the ingredients of Section 14 of the SARFAESI Act is satisfied. Therefore, this court is inclined to allow this petition.

5. In the result, the petition is allowed and Mr. U. Tamilarasan (Contact No : 6383306414), Advocate is hereby appointed as Commissioner. The Advocate/Commissioner is directed to assist the Petitioner to take possession of the schedule mentioned secured assets, after taking inventory of the articles and handover to the Petitioner, so as to proceed to recover the dues. The Advocate/Commissioner is permitted to approach the local police for assistance to obviate any untoward situation or law and order problem at the site while taking over possession. The Advocate/Commissioner shall prepare a detailed report for the entire proceedings and the same is to be filed before this court. The Advocate/Commissioner remuneration is fixed as Rs.25,000/- and the Petitioner shall pay the same directly to the Advocate/Commissioner on or before 17.08.2026 and file the memo to that effect. For Commissioner report call on 03.09.2026.



Dictated to Steno - Typist, typed by her directly in computer and corrected and pronounced by me in the open court, this the 27th day of July 2026.


Chief Judicial Magistrate,
Mayiladuthurai.

SCHEDULE OF SECURED ASSETS

Description of Property :-

In Mayiladuthurai District, Tharangambadi Taluk, Mayiladuthurai Registration District, Tharangambadi Sub-Registry, Saththangudi Village, Patta No. 1581 Survey No.128/27 Measuring of 120 Square meter out of 0.01.20 Ares with RCC house with E.B connection.

Boundaries :-

East : Karthi land with house.

West : Ariyanattu Street.

South : Sathiya Land.

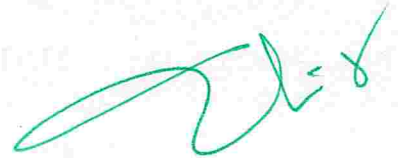
North : Ariyanattu Street.

Petitioner Side witnesses :-

Petitioner Witness No.	Dated of witness	Name of witness	Description
PW.1	24.07.2026	Mr. Maheshkumar	Petitioner

Petitioner Side Exhibits :-

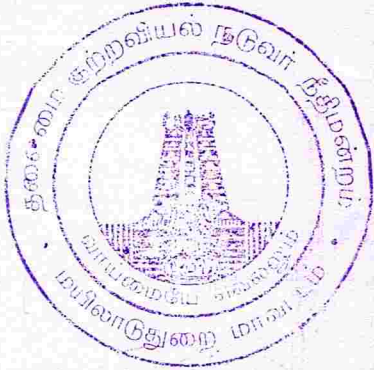
Exhibit No.	Dated	Description of the Exhibit	Proved by / Attested by
Ex.P1	31.07.2017	Certificate of incorporation to change the name from Manappuram Home Finance Private Limited to Manappuram Home Finance Limited Copy	PW1
Ex.P2	23.08.2017	Certificate of Registration under National Housing Bank Copy	PW1
Ex.P3	18.12.2015	Ministry of finance (department of financial service) Notification Copy	PW1
Ex.P4	24.05.2021	Authorized officer Certificate Copy	PW1
Ex.P5	12.05.2023	Loan Application Copy	PW1
Ex.P6	17.04.2023	Title Deed Copy	PW1
Ex.P7	20.05.2023	Sanction Letter	PW1
Ex.P8	20.05.2023	Loan Agreement	PW1
Ex.P9	22.05.2023	Memorandum of title deed	PW1
Ex.P10	25.07.2025	Statement Report	PW1
Ex.P11	15.04.2025	Demand Notice under 13(2) of the Act	PW1
Ex.P12	17.04.2025	Postal Receipt	PW1
Ex.P13	21.04.2025	13 (2) Postal Track Consignment	PW1
Ex.P14	03.05.2025	Damand notice Publication in English News Paper	PW1



Ex.P15	03.05.2025	Demand notice Publication in Tamil News Paper	PW1
Ex.P16	15.04.2025	Possession Notice	PW1
Ex.P17	09.07.2025	Postal receipt Copy	PW1
Ex.P18	12.07.2025	Rule 8 (1) Postal Track Consignment Copy	PW1
Ex.P19	12.07.2025	Possession notice Publication in Tamil News Paper	PW1
Ex.P20	12.07.2025	Possession notice Publication in English News Paper	PW1

Respondents side witnesses :- Nil.

Respondents side Exhibits :- Nil.



[Handwritten signature in green ink] 8-2-17/24

Chief Judicial Magistrate,

Mayiladuthurai.