

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, ALAPPUZHA

Present: Smt. Priyanka.S, Chief Judicial Magistrate

Dated this the, 24th day of April, 2026

CMP.1/2026 in M.C. No.594/2024

- Petitioner : Grihum Housing Finance Limited (formerly known as Poonawalla Housing Finance Limited), represented by its Legal Recovery Officer- Collection its Authorized Officer Mr. Navin.A.Surendran,S/o. Surendran R/o.Sirigowri Complex, 1st Floor, No.1245, 8th Cross, Behind Raghavendra Temple, Kengeri Upanagara, Bengalore – 560 060.
- Vs.
- Respondents : 1. Unni.P.J, Sy No.38 2A18, Pattanassery Colony, Thycal.P.O, Arthungal, Thycal Road, Alappuzha, Cherthala South Grama Panchayat, Arthungal Village, Cherthala Taluk, Alappuzha, Pin- 688 530. Also at:-445, Pattanassery Clony, Thycal, Pattanassery Colony, Cherthala North, 688 530.
2. Matheletha.K.K, Kakkassery, Pallithode.P.O Kuthiyathode, Pallithode, Cherthala, 688 540.

This case came-up on this day for consideration, the court passed the following:-

ORDER

This petition has been filed by the petitioner for revival of the original MC. The original MC was filed u/s.14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act seeking assistance of the Court to take possession of the asset stated in the MC. MC was closed on 11.03.2026. Now the petitioner has come up with the above application seeking assistance of the Court to take possession of the secured asset.

Heard and perused the records.

It is mentioned in the petition that this court has appointed an Advocate commissioner for taking possession of secured assets. Pursuant thereto, the requisite batta was duly remitted and Advocate commissioner visited the schedule property and made an attempt to take physical possession. However, due to obstruction and interference caused by the respondents, the said process could not be completed. It is

further submitted that subsequent to the said attempt, the then Authorized Officer of the petitioner institution resigned from service and new Authorized Officer was appointed in his place. The said transition resulted in an unavoidable administrative delay in executing the order of this Court. It is mentioned that there were no willful latches or negligence from the petitioner to execute the order within time and it is prayed that the MC may be revived.

On going through the proceedings, it is seen that the order in MC was passed on 08.10.2024 and MC was closed on 11.03.2026.

The order dated 11.03.2026 would read as follows: “Possession has not been taken so far. Order in MC is dated 08.10.2024. In these circumstances, **MC stands closed**” . It is seen that opportunity was given for filing commission report. Since order in MC was passed on 08.10.2024 and possession as ordered was not taken, the MC was closed. In these circumstances, there is no justifiable ground to revive the MC. The prayer is only to be refused.

In the result, **Criminal MP stands dismissed.**

Pronounced in open court on this 24th day of April, 2026

Sd/-

**Chief Judicial Magistrate.
Alappuzha**

//True Copy//

**Chief Judicial Magistrate.
Alappuzha**