



IN THE COURT OF CHIEF JUDICIAL MAGISTRATE AT TIRUPPUR

**Present: Tmt. P.Mohanavalli, B.A., M.L.,
Chief Judicial Magistrate, Tiruppur,**

Thursday, the 13th day of August 2026

CrI.M.P. No.2244/2026
CNR.No.TNTI1A0050062026

HINDUJA LEYLAND FINANCE LTD

Represented by its Authorized Officer

Shanmuga Rajesh

...Petitioner

-Vs-

1.VSG MOTORS

2. KUPPUSAMY

3. PRABHU

...Respondents

This petition was taken to file on 06.06.2026. Advocate **Mr.R.Ragunandhanan** has appeared for the petitioner. Upon considering the facts narrated in the petition and after perusing the documents filed along with the petition this Court, after satisfying that the conditions prescribed in section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 are complied with, delivered the following :

ORDER

01. This application under section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 is filed by the petitioner's duly authorized officer (**Doc No.12**), seeking the appointment of Advocate Commissioner to take actual possession of the petition mentioned property/secured assets.

02. The following facts are enumerated after considering the petition filed by the petitioner.



(i) HINDUJA LEYLAND FINANCE LTD, the petitioner is represented through its Authorized Officer Mr. Shanmuga Rajesh, having its Corporate office at 27 A, Developed Industrial Estate, Guindy, Chennai-600 032 is a finance company and is a secured creditor under the SARFAESI Act.

(ii) According to the petitioner, the petitioner finance company sanctioned Loan for a sum of **Rs.3,00,00,000/-** to the respondents. The respondents have a simple mortgage by depositing of title deeds of the petition mentioned property (**Doc. No.3**) in favour of the petitioner.

(iii) The respondents, who availed the above-said loans did not repay the sale promptly as agreed and committed default in payment. Hence, the petitioner bank had notified the account of the respondents as NPA on 30.12.2023.

(iv) Furthermore, the petitioner bank issued a demand notice on 28.01.2026 (**Doc. No.4**) under section 13(2) of the SARFAESI Act demanding the respondents to repay the outstanding loan by giving 60 day's time. Even after service of the notices, the respondents not chosen to send any objection or come forward to repay the outstanding loan. The petitioner bank therefore, issued possession notice under section 13(4) of the SARFAESI Act on 21.04.2026 (**Doc. No.6**) and the same was published in English Newspaper namely in "New Indian Express" and the Tamil Newspaper namely in "Dinamani" on 24.04.2026 (**Doc. No.7**).

(v) Hence, this petition is filed by the petitioner's authorised officer for getting assistance from this Court. Since the petitioner, who took symbolic possession of the petition mentioned property/secured assets could not take actual possession from the respondents.



(vi) The petitioner also declared that the property is not in possession of any lessee under any valid lease and the same is also confirmed from the encumbrance certificate(**Doc. No.10**). As on 29.04.2026 the respondents to the petitioner a sum of total amount **Rs.2,76,12,099.74/-**.

03. On perusal of the records and the arguments put forth by the learned counsel for the petitioner, this court is of considered opinion that the affidavit of authorised officer of the petitioner and documents filed along with the petition are to be accepted. This court has ascertained that limitations and procedures prescribed by the above-said Acts (**Section 13 of SARFAESI ACT and Rules 03 and 08 of The security interest (enforcement) Rules 2002**) have been duly followed by the petitioner and that the petition mentioned properties are within the territorial jurisdiction of this Court. In the interest of justice, the court deems fit and proper to provide necessary assistance to the petitioner to take possession of the secured assets.

RESULT

04. As a result, this petition is allowed. Advocate **Mr.K.Gokul karthic, M.s.No.8031/2025**, appoint as Advocate commissioner. He is Directed.

1. To inspect the petition mentioned property.
2. Take inventories.
3. Take physical possession and immediately hand over to the petitioner/secured creditor and
4. If necessary take assistance of concerned Revenue Officials and the police in executing the warrant.
5. To break open the door if locked.

The Court Commissioner's remuneration is fixed at Rs.20,000/- and the Petitioner should pay the Advocate Commissioner fee within two days of receiving of the order. The court Commissioner report must be submitted within 40 days after



handing over the possession. With the above-said directions and observations, this petition is closed.

Given under my hand and the seal of this court, this the 13th day of August 2026.

**CHIEF JUDICIAL MAGISTRATE,
TIRUPPUR.**

DESCRIPTION OF PROPERTY

In Thirupur Registration District, Tirupur joint 2 sub registration District, Tirupur taluk, within the limits of Tirupur city municipal corporation, 15 velampalayam village S.F.No.424/2 have been blotted into layout of vacant sites and in this site no 27 A with following boundaries:-

North by 25 ft wide east west layout road

South by Subbiah gounder land

East by Site No 28 A

West by Site No 26A

Within this boundary measuring eastwest 40 feet on the northsouth both side northsouth 60 feet on the eastwest both side total square feet 2400

All that piece and parcel of land measuring 1.16 3/ 4 (50856 Sq.ft) comprised in S.F.No.424/2Z55.

LIST OF DOCUMENTS

S.No.	Date	Description	Nature
1.	31.08.2016	Sanction Letter	Photostat
2.	28.04.1982	Sale Deed with Registration No.913 of 1982	Photostat
3.		Mortgage Deeds with Registration No.5144 of 2016	Photostat
4.	28.01.2026	Demand Notice Under Section 13(2) of SARFAESI Act along with Postal Tracking	Photostat



5.	18.02.2026	Paper Publication of Demand Notice	Photostat
6.	21.04.2026	Possession Notice Under Section 13(4) of SARFAESI Act, along with Postal Tracking	Photostat
7.	24.04.2026	Paper Publication of Possession Notice	Photostat
8.		Photos taken during Symbolic Possession	Photostat
9.	29.04.2026	Statement of Accounts	Photostat
10.		Encumbrance Certificate	Photostat
11.	24.04.2026	Cersai Report	Photostat
12.		Power of Attorney	Photostat

**CHIEF JUDICIAL MAGISTRATE,
TIRUPPUR.**

Copy to

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gokulkarthic143@gmail.com, Advocate Commissioner, Tiruppur.