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.

Wednesday, the 25th day of March, 2026.

Criminal Miscellaneous Petition No.366/2026.

Petitioner	:	M/s. Equitas Small Finance Bank Limited, (Formerly known as M/s Equitas Finance Ltd.,) Rep by its Authorized Officer K. Surya Kumar, F-39, Spencer Plaza, No.769, 4th Floor, Phase – II, Anna Salai, Chennai – 2.
Respondents	:	1. Vijayakumar, S/o. Duraikannu, No.17/19A, 3rd New Street, Mayiladuthurai – 609 001, Mayiladuthurai District. 2. Karthika, W/o. Vijayakumar, No.17/19A, 3rd New Street, Mayiladuthurai – 609 001, Mayiladuthurai District. 3. Lalitha, W/o. Duraikannu, No.17/19A, 3rd New Street, Mayiladuthurai – 609 001, Mayiladuthurai District.

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The Petition was taken on file 20.02.2026 and coming on 18.03.2026 for final hearing before this court in the presence of Mr. M. Manoj Kumar 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

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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. Surya Kumar examined and Ex.P.1 to Ex.P.13 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 Miss. T. Vinodha (Contact No : 80720 47027), 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 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 commissioner shall prepare a detailed report for the entire proceedings and the same is to be filed before this court. The Commissioner's remuneration is fixed as Rs.20,000/- and the Petitioner shall pay the same directly to the

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Advocate/Commissioner on or before 15.04.2026 and file the memo to that effect. For Commissioner report call on 29.04.2026.

Dictated to Steno - Typist, typed by her directly in computer and corrected and pronounced by me in the open court, this the 25th day of March 2026.

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Chief Judicial Magistrate,
Mayiladuthurai.

SCHEDULE OF SECURED ASSETS

Description of Property :-

All that piece and parcel of land and building, Bearing with Plot No.39 Western part, Comprised in Natham Old S. No.91/6, New S. No.91/6B12, with an extent of 1375 Sq.ft., (or) 127.75 Sq.Mtrs., Situated at Sri Lalitha Parameshwari Nagar, Vellalagaram Village, Mayiladuthurai Taluk, Mayiladuthurai District.

Boundaries :-

North of : Road.

South of : Plot No.47.

East of : Mr. Thirunavukarasu Plot No.39 Eastern Part.

West of : Road.

Situated at within the Sub-Registration District of Mayiladuthurai Joint-I and Registration District of Mayiladuthurai.

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Petitioner Side witnesses :-

PW.1	:	18.03.2026	Tr. Surya Kumar.

Petitioner Side Exhibits :-

Ex.P1	:	18.12.2015	RBI Notification
Ex.P2	:	18.11.2025	Letter of Authority
Ex.P3	:	27.09.2023	Loan Application (Appl. No. 0880092)
Ex.P4	:	27.09.2023	Loan Sanction Letter
Ex.P5	:	27.09.2023	Loan Agreement
Ex.P6	:	13.01.2012	Sale Deed
Ex.P7	:	02.11.2023	MODT
Ex.P8	:	13.09.2025	Demand Notice under Sec 13(2) issued under SARFAESI Act, 2002 with enlcosed the Postal tracking and Receipt
Ex.P9	:	21.09.2025	Paper publications in Tamil and English Daily
Ex.P10	:	24.01.2026	Possession Notice under Sec 13(4) issued under SARFAESI Act, 2002 with enlcosed the Postal tracking and Receipt
Ex.P11	:	30.01.2026	Paper publications in Tamil and English Daily
Ex.P12	:	13.02.2026	Statement of Account
Ex.P13	:	13.02.2026	Encumbrance Certificate

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Chief Judicial Magistrate,

Mayiladuthurai.