

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, TIRUVARUR

PRESENT : Tmt.Dr.R.Latha M.A., M.L., Ph.D.,
Chief Judicial Magistrate, Tiruvarur

Thursday, the 20th day of August 2026
Crl.M.P.No.523/2026

M/s.HDFC Bank Ltd,
Rep.by its Authorized Officer,
Mr. Surender

. . . Petitioner

-Vs.-

1) M/s. SK Industrial Trading,
Represented by its Proprietor, Mr. Akhila,
No. 10/2, Inner Ring Road,
Jawaharlal Nehru Salai, Koyembedu,
Chennai-600 107.

2) Mrs. P. Akila,
W/o. Palani Selvam,
No. 34/53,F2, Amirtham Apartments,
Alagar Perumal Koil Street,
Vadapalani,Chennai-600026.

3) Mr. T. Palaniselvam,
S/o. Thiyagarajan,
No. 34/53,F2, Amirtham Apartments,
Alagar Perumal Koil Street,
Vadapalani, Chennai-600026.

. . . Respondents

This Petition came up on 14.07.2026 for final hearing before this Court in the presence of **Thiru. T.N. Karthikeyan**, the learned Counsel for the Petitioner and upon hearing this court delivered the following,

ORDER

1) The Petitioner has filed this petition U/s.14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 seeking to appointment of Advocate commissioner to take physical possession of secured Properties.

2) **Crux of the Petition :**

The Respondents have availed loan failed to repay the several EMIs. So, the petitioner has classified the Respondent's loan account non-performing Assets on 11.04.2025. Subsequently, on 14.08.2025 the petitioner company issued the demand notice U/s.13(2) of SARFAESI Act to the Respondents by granting 60 days time for repaying the loan amount Rs.2,55,63,629.25/- as on 31.07.2025. The said notices were served to all the respondents. After the petitioner issued a possession notice dated 12.08.2025 U/s.13(4) of the SARFEASI Act to the Respondents in respect of the schedule mention property for a sum of Rs.2,55,63,629.25/- as on 31.07.2025. with the interest and other charges thereon payable by the Respondents to the petitioner. In this regard, On the day of 17.08.2025 the petitioner issued a paper publication by adverting the possession notice vide **The New Indian Express** English edition daily newspaper and also issued Vernacular **Dinamani** newspaper. In spite of the possession notice so far, the respondents have not repaid the loan amount. Now the total amount outstanding is Rs.2,86,54,449.07/- as on 31.03.2026. The petitioner cannot take physical possession of the secured asset without assistance of the Court and Police. Therefore, prayed to appoint Advocate Commissioner for taking physical possession of the Schedule mentioned property.

3) Heard, the petitioner and perused the documents.

4) On perusal of entire records, it is made clear that the respondents obtained Property Loan from the petitioner bank and failed to repay the loan amount. Further on the date of Rs.2,86,54,449.07/- as on 31.03.2026. The respondents executed equitable mortgage for the petition mentioned properties to the petitioner bank. On perusal of Proof Affidavit and the Documents the petitioner complied the provision of Sec.13(2) and 13(4) of the SARFAESI Act. Hence, the

petitioner is entitled to taking physical possession of schedule mentioned property.

5) In the result, the Petition is allowed, Advocate **Tmt. K. MANIMEKALAI** **Enrollment No.1439/2017** is appointed as Advocate Commissioner to take physical possession of schedule mentioned properties, after taking inventory if necessary by the assistance of the Station House Officer, **TIRUVARUR TALUK POLICE STATION** and to hand over the same to the Petitioner and report the same to the court. In the event of any obstruction, the learned Advocate commissioner is hereby permitted to break open and took possession of the schedule property.

A sum of Rs.30,000/- (Rupees Thirty Thousand Only) is fixed as remuneration to the Advocate/ Commissioner, The Advocate/ Commissioner shall execute the warrant without causing any physical harm to the inmates and to execute the warrant within 60 days from the date issue of warrant. The petitioner is directed to pay Rs.30,000/- to the Advocate/Commissioner directly. With these direction, this petition is closed. No cost.

SCHEDULE OF PROPERTY

All the Piece and parcel of land and building situated in Thiruvarur District and Registration District, Thiruvarur Joint No. 1 SRO, Thiruvarur Taluk, Koradacheri Panchayat Union, Kattur Panchayat, Kattur Village in Old S.F.No. 83/1.After the Sub division New S.F.No. 83/12, Door No. 2/142/A an extent of 928 Sq Meter of land with building is located the following boundaries.

BOUNDARIES FOR THE PROPERTY

North by : Thiyagarajan Land

South by : North Street

East by : Natarajan House Land

West by : Dhanalakshmi Jari land, House Kollai

Together with all the pathway and easementary rights.

Dictated to the steno-typist, transcribed by her, corrected and pronounced by me in the open court on 20th day of August 2026.

**CHIEF JUDICIAL MAGISTRATE
TIRUVARUR.**

PETITIONER SIDE WITNESS :-

P.W.1 Mr. Surender

PETITIONER SIDE EXHIBITS :-

Exhibit 1	On 31.01.2025 Authorization Letter and Employee Id Card-Xerox
Exhibit 2	On 25.07.2023 Loan Application-Online copy
Exhibit 3	On 25.07.2023 Loan Sanction Letter-Xerox compared with Original
Exhibit 4	On 25.07.2023 Loan Agreement-Xerox compared with Original
Exhibit 5	On 25.07.2023 Memorandum of Deposit deed Doc.No. 1396/2023-Xerox compared with original
Exhibit 6	On 30.06.2023 Settlement deed Doc.No. 1222/2023-Xerox compared with Original
Exhibit 7	On 22.03.2025 Demand notice for Postal acknowledgment card-Original
Exhibit 8	On 26.04.2025 Paper publication of Demand notice in Tamil and English Daily newspaper-Original
Exhibit 9	On 12.08.2025 Possession Notice-Xerox
Exhibit 10	On 25.10.2025 Possession Notice with Attached Photo copy-Xerox
Exhibit 11	On 17.08.2025 Paper publication of Possession Notice in Tamil and English Daily Newspaper-Original
Exhibit 12	On 03.03.2026 Encumbrance Certificate-Online copy
Exhibit 13	On 07.03.2026 Advance Report-Xerox
Exhibit 14	Statement of Accounts-Online copy

**CHIEF JUDICIAL MAGISTRATE
TIRUVARUR.**

