

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, TIRUVARUR

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

**Monday, the 23<sup>rd</sup> day of March 2026**

**Cr.M.P. No78/2026**

M/s.Equitas Small Finance Bank Ltd.,  
Represented by its Authorized officer,  
Santhosh

**. . . Petitioner**

- Vs. -

- 1) Ragul,  
S/o. Perumal,  
No. 175,Thenkaralmathur,  
Thirukkottaram,  
Nannilam,  
Velangudi,  
Thiruvarur.
- 2) Perumal,  
S/o. Rasangam,  
No. 175,Thenkaralmathur,  
Thirukkottaram,  
Nannilam,  
Velangudi,  
Thiruvarur.
- 3) Padma,  
W/o. Perumal,  
No. 175,Thenkaralmathur,  
Thirukkottaram,  
Nannilam,  
Velangudi,  
Thiruvarur.

**. . . Respondents**

This Petition came up on 13.03.2026 for final hearing before this Court in the presence of **Thiru.Mr.C.RAJASEKAR** 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 Respondents's loan account non-performing Assets on 09.07.2024. Subsequently, on 02.08.2024 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 a sum of Rs.1,64,208/- as on 09.07.2024. The above said notice was served to the Respondents. After the petitioner issued a possession notice dated 15.07.2025 U/s.13(4) of the SARFEASI Act to the Respondents in respect of the schedule mention property for a sum of Rs.1,64,208/- as on 09.07.2024. with the interest and other charges thereon payable by the Respondents to the petitioner. In this regard, On 20.07.2025 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.1,64,208/- as on 09.07.2024. 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 Loan for Rs.2,50,000/- from the petitioner bank and failed to repay the loan amount. Further on the date of Rs.1,64,208/- as on 09.07.2024. 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 **Thiru.M.RAJKAMAL Enrollment No.2592/2011** 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, **NANNILAM 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 petitioner is hereby directly to pay the Advocate/Commissioner fee within 15 days from the date of order. 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. With these direction, this petition is closed. No cost.

## SCHEDULE OF PROPERTY

All that piece and parcel of the land and building, comprised in New S.No.68/16, Old S.No. 68/1, with an extant of 2851 Sq.ft (or) 265 Sq.Mtr, Situated at Velangudi Village, Nannilam Taluk, Thiruvarur District and it is bounded by:-

**North by : Street**

**South by : Land belongs to Mr. Balakrishnan**

**East by : House belongs to Mr. Perumal**

**West by : Land belongs to Tmt. Rajamalachi**

Situated at within the sub-Registration District of Peralam and Registration District of Mayiladuthurai.

Dictated to the steno-typist, transcribed by her, corrected and pronounced by me in the open court on 23<sup>rd</sup> day of March 2026 .

**CHIEF JUDICIAL MAGISTRATE  
TIRUVARUR.**

### PETITIONER SIDE WITNESS :-

P.W.1 Tr. **Vijaya Baskar**

### PETITIONER'S SIDE EXHIBITS :-

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| ம.சா.ஆ.1 | 20.01.2020 ஆம் தேதிய கடன் விண்ணப்பம் அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல்          |
| ம.சா.ஆ.2 | 27.01.2020 ஆம் தேதிய கடன் வழங்க அனுமதி கடிதம் அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல் |
| ம.சா.ஆ.3 | 27.01.2020 ஆம் தேதிய கடன் ஒப்பந்தம் அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல்           |

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| ம.சா.ஆ.4  | 28.01.2020 ஆம் தேதிய உரிமை பத்திர வைப்பு (MOTD) Doc.No.122/2020 அசல்                            |
| ம.சா.ஆ.5  | 16.09.2019 ஆம் தேதிய விற்பனை பத்திரம் ஆவண எண்.1690/2019 அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல்        |
| ம.சா.ஆ.6  | 02.08.2024 ஆம் தேதிய கோரிக்கை அறிவிப்பு மற்றும் Postal receipt அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல் |
| ம.சா.ஆ.7  | 03.08.2024 ஆம் தேதிய Tracking Consignments அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல்                     |
| ம.சா.ஆ.8  | 15.07.2025 ஆம் தேதிய சுவாதீன அறிவிப்பு அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல்                         |
| ம.சா.ஆ.9  | 24.07.2025 ஆம் தேதிய Tracking consignments அசலுடன் ஒப்பீடு செய்யப்பட்ட நகல்                     |
| ம.சா.ஆ.10 | 17.09.2025 ஆம் தேதிய செய்திதாள் விளம்பர அறிவிப்பு தமிழ் மற்றும் ஆங்கிலம் அசல்                   |
| ம.சா.ஆ.11 | 01.01.2021 முதல் 06.08.2025 வரையிலான கணக்கு விவரப்பட்டியல் (Statement of Account) இணைய நகல்     |
| ம.சா.ஆ.12 | 06.08.2025 ஆம் தேதிய வில்லங்க சான்று இணைய நகல்  |
| ம.சா.ஆ.13 | அங்கீகார கடிதம் மசாஆ 13 ஆக குறியீடு செய்யப்படுகிறது.  |

**CHIEF JUDICIAL MAGISTRATE  
TIRUVARUR.**