

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 15th day of June 2026

Cr.M.P. No.286/2026

M/s. ICICI BANK LIMITED,
Represented by its Authorized Officer,
Mr. Sajith Babup

.....Petitioner

- Vs. -

1) R S JEWELLERS

Represented by Proprietor Arun Mozhidevan,
66/3 Mannargudi Main road,
Mannargudi-614001.

Also at,
S.No. 3058/2, 3057/2B, Ward No.1, Block No. 51,
Perya Kamala Street,
Big kammala Street, New Anandha Lakshmi Jewellery,
Mannargudi-614001.

2) Mr. Arun Mazhidevan,
S/o. V.S. Rajendran,
No 1A 2, West First Street, Mannargudi,
Mannargudi-614001.

Also at,
S.No. 3058/2, 3057/2B, Ward No.1, Block No. 51,
Perya Kamala Street,
Big kammala Street, New Anandha Lakshmi Jewellery,
Mannargudi-614001.

3) Mrs. B. Rohini,
W/o. Arun Mazhidevan,
No. 3/71, Thiruvalluar Nagar Moonam Veethi,
Mannargudi Tk Moonam Veethi,
Mannargudi-614016.

.....Respondents

This Petition came up on 09.06.2026 for final hearing before this Court in the presence of **Thiru. P. Veeramalai** 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 26.03.2025. Subsequently, on 15.05.2025 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 a sum of Rs.1,48,55,587.81/-as on 02.05.2025. The above said notice was served to the Respondents. After the petitioner issued a possession notice dated 18.09.2025 U/s.13(4) of the SARFEASI Act to the Respondents in respect of the schedule mention property for a sum of Rs.1,48,55,587.81/-as on 02.05.2025. with the interest and other charges thereon payable by the Respondents to the petitioner. In this regard, On the day of 21.09.2025 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.1,55,27,741.81/- as on 13.11.2025. 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.1,55,27,741.81/- as on 13.11.2025. 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 **D. GAJENDRABABU, Enrollment No.1496/2016** 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, **MANNARGUDI TOWN 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 THE PROPERTY

As described in the Loan document/property document covering all that the property located in Thiruvarur Revenue District, Nagapattinam Registration, Mannargudi Sub Registration Office, Mannargudi Town Mannargudi Taluk, Ward-1, Block-5 Old T.S.No. 3017 New T.S.No. 3017/1. An Extent of 221 Sq.ft Old Door No. 63. Door No. 120 and within the limits of Mannargudi Municipality, Thiruvarur District.

Admeasuring an area of land an extent of 221 Sq.ft with RCC with Electric Connection, Deposit in the Ground floor, first floor with compound wall with easement rights and pathway within the following four boundaries.

Bounded by:

North By : Shop Building belonging to Subramanian

South By : Shop Building belonging to Ravi Shankar

East by : Kammala Street

**West by : Western side Compound wall of the land belonging to
Ramalingam**

Dictated to the steno-typist, transcribed by her, corrected and pronounced by me in the open court on 15th day of June 2026.

**CHIEF JUDICIAL MAGISTRATE
TIRUVARUR**

PETITIONER SIDE WITNESS :-

P.W.1-Mr. Sajith Babup

PETITIONER'S SIDE EXHIBITS :-

Exhibit 1	On 31.01.2023 Authorization Letter-Xerox
Exhibit 2	On 29.10.2020 Intimation Letter-Xerox compared with Original

Exhibit 3	On 28.07.2020 Deed of Guarantee-Xerox compared with Original
Exhibit 4	On 30.05.2019 Sale deed-Xerox compared with Original
Exhibit 5	On 14.06.2019 Rectification deed-Xerox compared with Original
Exhibit 6	On 28.06.2019 Memorandum of Tittle deed-Xeorx compared with Original
Exhibit 7	On 08.12.2020 Copy of Supplementary Memorandum of Deposit of Tittle Deed-Xerox compared with Original
Exhibit 8	On 15.05.2025 copy of Notice issued U/s of the SARFAESI Act along with Receipt-Xerox
Exhibit 9	On 19.06.2025 Demand Notice Publication in Tamil(Dinamani)-Original
Exhibit 10	On 19.06.2025 Demand Notice Publication in English(The New Indian Express)-Original
Exhibit 11	On 18.09.2025 Possession Notice for immovable property along with Receipt and postal Tracker-Online copy
Exhibit 12	On 21.09.2025 Possession Notice Publication in Tamil(Dinamani)-Original
Exhibit 13	On 21.09.2025 Possession Notice Publication in English(The New Indian Express)-Original
Exhibit 14	On 18.09.2025 Photo Affixture-Xerox
Exhibit 15	On 13.11.2025 Statement of Account-Online copy
Exhibit 16	On 19.11.2025 Encumbrance Certificate-Online copy
Exhibit 17	On 15.10.2020 Loan Application-Xerox compared with Original

**CHIEF JUDICIAL MAGISTRATE
TIRUVARUR**