STATE OF KERALA

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, MANJERI

Present:- Smt.Saritha Raveendran, Chief Judicial Magistrate.

(Dated this the 11th day of March, 2026)

M.C.No 153/2026

Petitioner/Secured creditor	:	The Perinthalmanna Urban Co-operative Bank Ltd. Rep. by its Authorized Officer Hari.A S/o. Narayanan, Aged 53 Years, Allakkatt (H), Cherakkaparamba P.O, Angadippuram, Malappuram District (By Adv. Sri.Sulffikker Ali. T.K, Perinthalmanna)
Respondent/Borrower	1:	Vinayan aged 41 years S/o Velayudhan, Illathupurakkal House, Vengad P.O, Malappuram District-679338
	2:	Deepa aged 35 years, W/o Vinayan, Illathupurakkal House, Vengad P.O, Malappuram District-679338

This application having been finally heard on this day, the Court delivered the following :-

O R D E R

This is an application filed U/s.14(1) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. The requisition in brief:- The applicant is secured creditor under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 represented through it's authorised Officer. The respondents/borrowers has availed a term loan from the applicant/Bank and owing to the default in repayment of the same is classified as a non performing asset. The outstanding liability of the respondents/borrowers as on 16.01.2026 is ₹4,48,950/- (Rupees Four Lakhs Forty Eight Thousand Nine Hundred and Fifty Only). Non clearance of the liability despite receipt of the statutory notice, has necessitated initiation of recovery proceedings. Hence, the requisition.

3. Having heard the learned counsel appearing for the applicant/secured creditor, I carefully gone through the plea as well as the supporting affidavit and

records. Going by the records it can be seen that the subject loan account is classified as a non performing asset and further that the respondent/borrower are duly served with the statutory demand notice U/s.13 (2) of the Act. Upon scrutiny of the materials on record, I am satisfied that the applicant has duly complied with all the legal formalities required for enforcement of security interest created against the secured assets scheduled herein. Therefore, it is just and proper to order taking over of possession of the secured assets and documents as prayed for.

In the result, the application is allowed as follows:

i. The applicant/secured creditor is hereby authorised to take over possession of the secured asset scheduled herein through the Commissioner appointed hereunder.
ii. Adv.Hafsath. K. P., (Phone No. 8848767257) is appointed as the Commissioner. The commission batta is fixed as Rs.10,000/-. Pay batta directly to the commissioner while visiting the property for taking possession.
iii. The Commissioner may identify the secured asset with the assistance of the applicant/secured creditor and the Village Officer Moorkanad and after having taken physical possession thereof within three months from the date of this order shall hand over the same to the authorised officer of the applicant/Secured Creditor forthwith.
iv. The commissioner is empowered to use necessary force for taking possession in case of obstruction or resistance and he/she can even break open the lock/door of any house or building in order to take possession of the secured asset with the assistance of police, if the same is found locked with a view to prevent the taking over of the possession thereof.
v. The SHO, Kolathur Police Station is directed to provide necessary police protection to the Commissioner for the effective execution of the court order. It is made clear that in the event of a requisition

in writing from the part of the Commissioner, the SHO concerned shall provide necessary police assistance to take possession of the subject secured asset by breaking open the gate or door of the house/building.

vi. The Commissioner shall prepare a mahazar from the site detailing the date, time, place and the factum of taking over of the secured asset from the respondent/borrower and delivery of it's possession to the authorised officer of the applicant Bank.

vii. The Commissioner shall also cause to take photographs, at the expense of the applicant/secured creditor, evidencing the taking over and handing over of the possession of the secured asset as detailed in his/her mahazar.

viii The Commissioner shall execute the warrant within three months from the date of order and file report forthwith. It is made clear that the Commissioner shall return the warrant in case of non payment of batta or non execution of the order within the time prescribed above.

ix. Communicate the order to the Village Officer and the SHO concerned forthwith.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 11th day of March, 2026)

Sd/-
Chief Judicial Magistrate,
Manjeri.

//True Copy//

Chief Judicial Magistrate,
Manjeri.