

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 11th day of June 2026

Cr.M.P. No.416/2026

M/s. Equitas Small Finance Bank Limited,
Represented by its Authorized Officer,
Mr. Vijay, S/o. Mahendran,

.....Petitioner

- Vs. -

1) Mrs. Vasuki Natarajan,
No. 416, Stalin Street,
Kadaitheru Village,
Paingattur,
Mannargudi-Tk,
Thiruvarur-614717.

2) Mr. Natarajan,
No. 416, Stalin Street,
Kadaitheru Village,
Paingattur,
Mannargudi-Tk,
Thiruvarur-614717.

.....Respondents

This Petition came up on 08.06.2026 for final hearing before this Court in the presence of **Thiru. M. Saravanan** 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 08.01.2023. Subsequently, on 20.04.2025 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.4,38,006/- as on 18.03.2025. The above said notice was served to the Respondents. After the petitioner issued a possession notice dated 12.02.2026 U/s.13(4) of the SARFEASI Act to the Respondents in respect of the schedule mention property for a sum of Rs.4,38,006/- as on 18.03.2025. with the interest and other charges thereon payable by the Respondents to the petitioner. In this regard, On the day of 18.02.2026 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.4,38,006/- as on 18.03.2025. 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.4,38,006/- as on 18.03.2025. 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 **Thiru.K. THENNARASU, Enrollment No.6220/2024** 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 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.

DESCRIPTION PROPERTY

All the piece and parcel of land Along with Building Comprised in S.No. 173/8 to 2694.5 Sq.ft and in Old S.No. 173/1A and in New S.No. 173/41 to 538 Sq.ft and in Old S.No. 173/1A and in New S.No. 173/54 to 1615 Sq.ft. Thus Total Extent of 4847.5 Sq.ft Situated at Kadaitheru Village, Paingattur Revenue Village, Mannargudi-TK and Tiruvarur District.

Within the Mannargudi Sub Registration District, Nagapattinam Registration District.

Boundaries for the Property:

North by : Mr. Vethampillai Plot

South by : Street

East by : Mr. Rajamanickam & Others Plot

West by : Mr. Natarajan House

Dictated to the steno-typist, transcribed by her, corrected and pronounced
by me in the open court on 11th day of June 2026.

**CHIEF JUDICIAL MAGISTRATE
TIRUVARUR**

PETITIONER SIDE WITNESS :-

P.W.1-Mr. Vijay Mahendran

PETITIONER'S SIDE EXHIBITS :-

Exhibit 1	On 22.07.2025 Authorization letter-Xerox copy
Exhibit 2	On 16.11.2021 Loan application-Xerox Compared with Original
Exhibit 3	On 24.11.2021 Loan Sanction Letter-Xerox Compared with Original
Exhibit 4	On 24.11.2021 Loan Agreement-Xerox compared with Original
Exhibit 5	On 07.07.2017 Settlement Deed Executed by Mr. Natarajan to in Favour of Mrs. Vasuki (Registered Before Sro Mannargudi Doc.2518/2017)-Xerox Compared with Original
Exhibit 6	On 24.09.2018 Memorandum of Deposit of Title Deeds-Xerox compared with Original
Exhibit 7	On 23.11.2021 Memorandum of Deposit of Title deeds in Favour of M/s Equitas Small Finance Bank Ltd, Mannargudi Branch, Executed by Mrs. Vasuki(Un Registered MOTD)-Xerox compared with Original document
Exhibit 8	On 26.11.2021 Affidavit-Xerox compared with original document

Exhibit 9	On 20.04.2025 Demand notice issued by the Petitioner U/s.13 (2) with Postal Tracking Received.No.2-Xerox compared with Original
Exhibit 10	On 12.02.2026 Possession Notice issued by the bank U/s.13(4) with Postal Tracking Received-Xerox compared with original
Exhibit 11	On 18.02.2026 Copies of the Symbolic Possession Notice issued by the petitioner U/s.13(4) with Paper publications issued in Tamil and English newspapers-Xerox compared with Original
Exhibit 12	On 14.04.2026 Certificate of Encumbrance on Property-Online copy
Exhibit 13	On 13.04.2026 Account Statement-Online copy
Exhibit 14	On 30.06.2016 License by Reserve Bank of India-Xerox compared with Original
Exhibit 15	On 18.12.2015 Gazette copy-Xerox compared with Original copy
Exhibit 16	On 02.09.2016 Certification of Incorporation-Xerox compared with Original

**CHIEF JUDICIAL MAGISTRATE
TIRUVARUR**