



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WMP No. 59 of 2026

in

WP NO. 74 OF 2026

A.Sarala Devi
W/o.R.Anantharaman
Flat No.A3, No.97, Harmony Block,
RC Prince Gardenia
Perambur Redhills High Road
Kalpalayam, Kolathur,
Chennai 600099.

..Petitioner(s)

Vs

1. Secretary To Government
Commercial Taxes and Registration Department,
Fort St. George, Chennai 600009.
2. Margadarsi Chits Private Limited
Rep. by its Foreman
Kumaran Building, No.AA-152
3rd Avenue, Anna Nagar,
Chennai 600040.

..Respondent(s)

Prayer: - To grant an order of interim injunction restraining the 2nd respondent from in way auctioning the petitioner property situated at Flat bearing No.H situated in the second floor premises of an apartment having super built up area of 1084 square feet together with 541 square feet of undivided share, right, title and interest over the land measuring 4876 square feet, situated at Plot No. 1866



26th Street, Thiruvalluvar Kudiyiruppu, Anna Nagar West, Chennai 600040 as per the proclamation of sale dated 18.12.2025 issued by Learned XXVI Assistant City Civil Court at Chennai in ARC No.527 of 2024 in E.P.No. 1363 of 2020 till the disposal of the appeal pending on the file of the 1st respondent to appeal petition Govt. Letter No. 3124949/G/2022-15.

. For Petitioner(s): Mr.P.Chandrasekar

For Respondent(s): Mr.U.Bharanidharan, SGP, for R.1

Mr.D.Shivakumaran for R.2

ORDER

The above Petition has been filed for the following reliefs:-

“To grant an order of interim injunction restraining the 2nd respondent from in way auctioning the petitioner property situated at Flat bearing No.H situated in the second floor premises of an apartment having super built up area of 1084 square feet together with 541 square feet of undivided share, right, title and interest over the land measuring 4876 square feet, situated at Plot No. 1866 26th Street, Thiruvalluvar Kudiyiruppu, Anna Nagar West, Chennai 600040 as per the proclamation of sale dated 18.12.2025 issued by Learned XXVI Assistant City Civil Court at Chennai in ARC No.527 of 2024 in E.P.No. 1363 of 2020 till the disposal of the appeal pending on the file of the 1st respondent to appeal petition Govt. Letter No. 3124949/G/2022-15.”

2. It is the case of the petitioner that a dispute arose in respect of a chit fund transaction between him and the principal borrower, pursuant to which the 2nd respondent appointed an Arbitrator, who had passed an ex parte Award in ARC No.527 of 2014 dated 09.10.2019. For execution of the said award, the

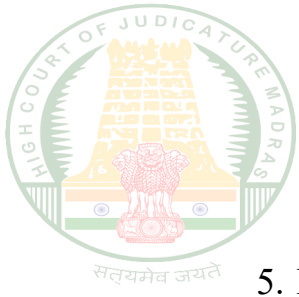


2nd respondent filed several Execution Petitions. The petitioner came to know about the said Award only upon receipt of notice in the Execution Petition.

Thereafter, the petitioner immediately preferred an appeal in the year 2022 before the Secretariat in Appeal No.3124949 of 2022. However, the said appeal has not been disposed of till date.

3. The petitioner would further submit that, without awaiting the outcome of the appeal pending before the 1st respondent and without furnishing the statement of accounts relating to the Award, the 2nd respondent has now affixed an auction notice in respect of the petitioner's property and fixed the auction date as 23.01.2026.

4. The petitioner in the above Writ Petition seeks postponement of the auction till the disposal of the appeal pending before the 1st respondent. If, at this juncture, the respondents are permitted to proceed with the auction of the petitioner's property, the petitioner would suffer irreparable loss and hardship, and the relief sought in the Writ Petition would become infructuous. Further, the 2nd respondent, though having attached the property of the principal borrower, has not produced any statement of accounts with respect to the sale of the said property and the consideration received therefrom.



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5. In view of the above discussions, there shall be an order of injunction as prayed for till 02.02.2026.

6. Post the matter on 02.02.2026.

19-01-2026

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To

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P.T.ASHA J.

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