



WEB COPY



WP No. 626 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**WP No. 626 of 2026
AND WMP NO. 759 OF 2026**

P.A.Footwear Private Limited
Rep by its Managing Director Mr.S.K.Sivavilvaselvan,
S/o.S.V.Kumaraguruparaswamy, No.160, SKLS Estate,
GNT Road, Sembulivaram, Cholavaram, Chennai-67

..Petitioner

Vs

1. The Authorized Officer
M/s.LIC Housing Finance Ltd, Chennai Back office,
Floor No.30/1A, Abdul Razak Street, Saidapet
Chennai-600 015.
2. E.Mohan, S/o.K.Easwaran, SKLS Building, Plot
No.53, Bypass Road, Red hills Thiruvallur,
Chennai -600 052

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus forbearing the 1st respondent from interfering with the peaceful possession of the scheduled mentioned properties pending disposal of MA No.408 and No.409 in SA No.31/2024 on the file of the DRT-III chennai -6 respondent.

For Petitioner :

Mr.Srinath Sridevan, Senior Counsel
for Mr.Salai Varun Isai Azhagan

For Respondents:

Mr.R.Imayavaramban
for M/s.S.Ramalingam & Associates – for R1



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Order
(Order of the Court was made by R.Suresh Kumar J.)

Despite the order having been passed by the Tribunal in S.A.No.31 of 2024 dated 31.01.2024, by which a clear direction and liberty having been given to the first respondent bank / financial institution to proceed under the SARFAESI Act, for the past two years nothing has been moved from the financial institution towards bringing the property for public auction and for sale.

2. Merely because possessory right as a tenant had been given to the present writ petitioner upto 15.01.2026 by the said order dated 31.01.2024, that would not *ipso-facto* give rise to any prohibitory order against the first respondent / financial institution from proceeding further under the SARFAESI Act.

3. In this context, we are wondering to note as to why for the past two years the first respondent has not initiated any action to bring the property for sale under public auction. To explain this and filing a justification report, time is granted to the first respondent Bank till 20.01.2026.

4. The Debts Recovery Tribunal-III, Chennai also shall give remarks as to why such a long period or long rope has been given for two years protecting the interest of the petitioner as a tenant, which order has been wrongly construed or seems to



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have been wrongly construed by the first respondent bank in not proceeding further under the SARFAESI Act. Therefore, such remarks are called from the Debts Recovery Tribunal-III, Chennai by the Registry. A copy of this order be forwarded to the said authority.

5. Post the matter on **21.01.2026** for such compliance. Till such time, the petitioner's possession as a tenant in the premises concerned shall not be disturbed.

(R.S.K.,J.) (S.S.A.,J.)
08-01-2026

KST

To

1.The Registrar
Debts Recovery Tribunal – III
Chennai.

2.The Authorized Officer
M/s.LIC Housing Finance Ltd, Chennai Back office,
Floor No.30/1A, Abdul Razak Street, Saidapet
Chennai-600 015.



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