



WEB COPY

W.P.No.12489 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 22-04-2026**

CORAM

**THE HON'BLE MR JUSTICE R.SURESH KUMAR**

**AND**

**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.No.12489 of 2026**

**and**

**W.M.P.Nos.13654 & 13655 of 2026**

Pooja

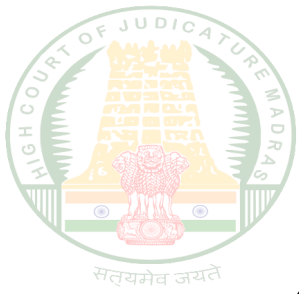
..Petitioner

Vs

1. M/s.UGRO Capital Limited,  
Represented by its Authorized officer,  
Mr.Ukesh Kumar Neelakandan,  
Equinox Business Park,  
Tower 3, 4<sup>th</sup> Floor,  
Off BKC, LBS Road, Kurla,  
Mumbai – 400 070.
2. M/s.Aware Automation Ind Private Limited,  
Represented by its Directors,  
Coimbatore – 641 062.
3. S.Shakti
4. Manomani

..Respondents

For Petitioner : Mr.G.K.Muthukumar  
for Mr.I.Arunkumar



## **ORDER**

WEB COPY

**(Order of the Court was made by R.SURESH KUMAR, J.)**

It is stated by the learned counsel appearing for the petitioner that, the property at New Survey No.152/6C which is part of Survey No.152/6, corresponding Old Survey No.910A at Kugalur Village, Gobichettipalayam Taluk, Erode District is the exclusive property of the petitioner who never mortgaged the same or encumbered the same under any circumstances. In fact, a civil Court decree has been obtained by the father of the petitioner with regard to the title over the property and he settled the property in favour of the petitioner, therefore, she became the absolute owner of the property and the petitioner is no way connected with any of the respondents herein. When that being so, if any SARFAESI proceedings has been initiated against the borrower or guarantor, that cannot be extended to a stranger like the present petitioner who is a third party and she is no way connected with the alleged transaction between the respondents.

2. This position could not be agitated anywhere because she is not aware of such alleged SARFAESI proceedings and only at the time when the Advocate Commissioner comes by issuing an order of taking possession pursuant to the order passed by the Chief Judicial Magistrate under Section 14 of SARFAESI Act, she filed the present writ petition.



3. In view of the said peculiar facts and circumstances where the petitioner claims to have been no way connected with any of the respondents herein including the Financial Institution and is the absolute owner of the property at New Survey No.152/6C as stated *supra*, how that property has been included in the proceedings initiated by the Financial Institution under the SARFAESI proceedings has to be ascertained and decided. In order to ascertain the same, notice have to be issued to the respondents. Therefore, notice is ordered to the respondents returnable in four weeks. Private notice is also permitted.

4. Post the matter in 1<sup>st</sup> week of June, 2026. In the meanwhile, no further steps shall be taken towards the property of the petitioner pursuant to the order passed by the Chief Judicial Magistrate under Section 14 of the SARFAESI Act until further orders.

(R.S.K., J.) (N.S., J.)  
22-04-2026

vji

**Note : Issue order copy by 22.04.2026.**

To

The Chief Judicial Magistrate,  
Erode.



WEB COPY

W.P.No.12489 of 2



**R.SURESH KUMAR, J.  
AND  
N.SENTHILKUMAR, J.**

vji

**W.P.No.12489 of 2026  
and  
W.M.P.Nos.13654 & 13655 of 2026**

**22.04.2026**