



W.P(MD)No. 6336 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :09.03.2026

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P(MD)No. 6336 of 2026
and
W.M.P.(MD) Nos.5262, 5264 & 5265 of 2026

1. M.Manikandan

2. M.Kannammal

... Petitioners

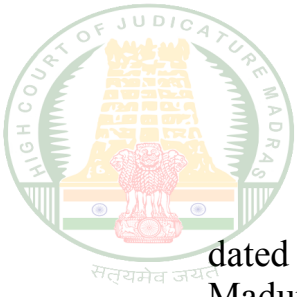
Vs

1. M/s.Equitas Small Finance Bank Ltd.,
Rep. through its Authorized Officer G.R.Sivasesan,
S/o. Not known,
4th Floor, Phase II,
Spencer Plaza,
Phase No.769,
Anna Salai
Chennai – 600 002.

2. The Branch Manager,
Equitas Small Finance Bank Limited,
Simmakkal Branch,
Madurai City.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the entire records relating to the impugned order made in CrI.M.P.No.8325 of 2025



W.P(MD)No. 6336 of 2026

dated 07.01.2026 on the file of the learned Chief Judicial Magistrate, Madurai and quash the same in respect of the petitioner's property in Survey No.42/3B, New Natham Survey No.1-6/46, to an extent of 60 Sq.Mtr (646 Sq.Ft), which is situated at Sathamangalam Group, Thallakulam Village, Madurai.

For Petitioner : Mr. S.Nihar Ali

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petitioner challenges the order passed by the Chief Judicial Magistrate under Section 14 of the SARFAESI Act, 2002 to take possession by the respondents financial institution.

2. It is the contention of the learned counsel for the petitioner that the petitioner has availed a mortgaged loan of Rs.9,30,000/- from the respondents. The petitioner has already paid a substantial amount and only remaining amount to be paid by the petitioner to the Bank. Hence, he prays that the order passed by the learned Chief Judicial Magistrate may be stayed.



W.P(MD)No. 6336 of 2026

WEB COPY

3. Heard the learned counsel for the petitioner and perused the records.

4. We are of the view that such submissions have no lights stand in the eye of law. The order of the Chief Judicial magistrate is to take possession to secure the assets due to default in payment. If the petitioner is really interested in payment of amount, it is for him to approach the Bank to pay necessary amount or he may challenge the SARFAESI proceedings in the manner known to law before the Tribunal. Hence, we do not find any merits in this writ petition.

5. With the said observations, this Writ Petition is dismissed. However, it is open to the petitioner to approach the Bank to settle the entire amount. No costs. Consequently, connected miscellaneous petitions are closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

[N.S.K., J.] & [M.J.R., J.]
09.03.2026



WEB COPY



W.P(MD)No. 6336 of 2026

N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

apd

ORDER MADE IN

W.P(MD)No. 6336 of 2026

09.03.2026