



2026:KER:45389

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE P. V. BALAKRISHNAN

TUESDAY, THE 23RD DAY OF JUNE 2026 / 2ND ASHADHA, 1948

WP(C) NO. 21205 OF 2026

PETITIONER:

LAKSHMI G
AGED 33 YEARS
NADUVIL HOUSE, KOLAZHI VILLAGE,
PADUKKAD DESOM, VIYYUR P.O
THRISSUR DISTRICT, PIN - 680010

BY ADV
SRI.SHAJIN S.HAMEED

RESPONDENTS:

- 1 BANK OF BARODA
SP NAGAR BRANCH
SAKTHAN THAMPURAN NAGAR, THRISSUR,
REPRESENTED BY ITS AUTHORIZED OFFICER,
PIN - 680001
- 2 REMA A V
AGED 51 YEARS
ENCHAKAL HOUSE, KOLAZHI P.O,
THRISSUR DISTRICT, PIN - 680010
- 3 RAJAN E.K
AGED 61 YEARS
ENCHAKAL HOUSE, KOLAZHI P.O,
THRISSUR DISTRICT, PIN - 680010
- 4 SUJITHKUMAR
AGED 40 YEARS
NADUVIL HOUSE, KOLAZHI VILLAGE,
PADUKKAD DESOM, VIYYUR P.O



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**THRISSUR TALUK, THRISSUR DISTRICT,
PIN - 680010**

**5 CHANDRAMATHI AMMA
AGED 68 YEARS
NADUVIL HOUSE, KOLAZHI VILLAGE,
PADUKKAD DESOM, VIYYUR P.O
THRISSUR TALUK, THRISSUR DISTRICT,
PIN - 680010**

SRI. K. ANAND, STANDING COUNSEL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 23.06.2026, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**



P.V. BALAKRISHNAN, J.

W.P.(C) No.21205 of 2026

Dated this the 23rd day of June, 2026

JUDGMENT

It is aggrieved by the coercive action taken by the 1st respondent under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the 'SARFAESI Act', for short), this writ petition has been preferred by the petitioner.

2. Heard the learned counsel for the petitioner and the learned counsel for the 1st respondent.

3. The learned counsel for the 1st respondent vehemently opposed entertaining this writ petition and granting the reliefs to the petitioner since, she has an efficacious alternative remedy before the DRT.



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4. I find considerable force in the submissions made by the learned counsel for the 1st respondent. The Honourable Apex Court in a catena of decisions, including the decisions in **Phoenix ARC Pvt. Ltd. v. Vishwa Bharati Vidya Mandir and Others [2022 KHC OnLine 6040]**, **South Indian Bank Ltd. (M/s.) v. Naveen Mathew Philip [2023 KHC OnLine 6435]** and **PHR Invent Educational Society v. UCO Bank [2024 KHC OnLine 6208]**, has categorically held that writ petitions against SARFAESI proceedings must not be entertained since, the aggrieved persons have an alternative and efficacious remedy before the DRT.

In such circumstances, this writ petition is dismissed without prejudice to the contentions and right of the petitioner to avail the statutory remedy.

Sd/-

**P.V. BALAKRISHNAN
JUDGE**

hnh



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APPENDIX OF WP(C) NO. 21205 OF 2026

PETITIONER'S EXHIBITS

- Exhibit P1** A TRUE COPY OF JOINT COMPROMISE STATEMENT BETWEEN THE PETITIONER WITH THE RESPONDENTS 4 AND 5 HEREIN DATED 21.06.2019
- Exhibit P2** A TRUE COPY OF DECREE IN OP NO.442/2019 OF THE FAMILY COURT, THRISSUR
- Exhibit P3** A TRUE COPY OF EP NO.142/2019 IN OP NO. 442/2019 ON THE FILES OF THE FAMILY COURT THRISSUR
- Exhibit P4** A TRUE COPY OF NOTICE ISSUED BY THE ADVOCATE COMMISSIONER TO THE RESPONDENT'S NO. 2 TO 4 IN CRL MP NO. 1464/2020 OF CHIEF JUDICIAL MAGISTRATE COURT, THRISSUR DATED 11.11.2026