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W.P.No.31122 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.31122 of 2026
and W.M.P.No.34217 of 2026

Snehlatha Surana
W/o.Sanjaykumar Surana,
No.47, 2nd Floor, Canal Bank Road,
Raja Annamalaipuram,
Chennai - 600028.

Petitioner

Vs

- 1.Punjab National Bank
Rep. by its Authorized Officer,
Circle SASTRA Centre,
Chennai South,
769, 2nd Floor, Spencer Towers,
Anna Salai, Chennai - 600002.
- 2.G.Thiyagarajan
Advocate Commissioner,
C-2, F9/123, TNHB Quarters,
TODD Hunter Nagar, Saidapet,
Chennai - 600015.
- 3.The Inspector of Police
Raja Annamalaipuram Police Station,
Chennai - 600028.



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Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to forbear the respondents their men, agents, servants, subordinates or anybody claiming under them from in anyway interfering, taking possession of the properties situated in Flat No.G-2, situated in O.No.14A, N.No.47, Canal Bank Road, Raja Annamalaipuram, Chennai - 600028 and Flat No.2, situated in O.No.7, N.No.3, Chamiers 1st Lane, Alwarpet, Chennai - 600018 till the disposal of S.A.No.142 of 2025 and S.A.No.303 of 2026 on the file of Debt Recovery Tribunal-III (DRT-III).

For Petitioner: Mr.E.Martin Jaya Kumar

For Respondents: Mr.M.L.Ganesh
and Mr.S.Arunkumar for R1

Mr.A.Amarnath
Govt. Advocate (Crl.Side)
for R3

ORDER

(Order of the Court was made by *G.Arul Murugan,J.*)

This writ petition has been filed seeking issuance of writ of mandamus forbearing the respondents, their men, agents servants or



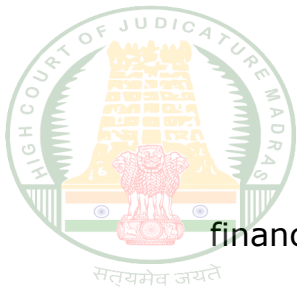
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anybody claiming under them from in anyway interfering or taking possession of the properties situated in Flat No.G-2 situated in Old No.14A, New No.47, Canal Bank Road, Raja Annamalaipuram, Chennai and Flat No.2 situated in Old No.7, New No.3, Chamiers 1st Lane, Alwarpet, Chennai till the disposal of S.A.Nos.142 of 2025 and 303 of 2026 pending on the file of Debts Recovery Tribunal-III, Chennai.

2. Learned counsel for the petitioner submitted that, proceedings were initiated by the secured creditor under the SARFAESI Act (for short, "*the Act*") and when the petitioner had challenged the order passed under Section 14 of the Act and the issuance of sale notice before the Debts Recovery Tribunal (DRT), the respondent bank is trying to take possession of the secured assets. In such circumstances, the petitioner has approached this Court seeking direction to forbear the respondents from taking possession of the secured assets.

3. We have considered the submissions made by learned counsel for the petitioner and perused the materials available on record.

4. Admittedly, the petitioner is a borrower, who availed the



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financial assistance from the respondent bank and due to the default committed in repayment of the loan amount, the loan accounts were classified as NPA on 3.4.2021 and initiated proceedings under the Act by issuing notice under Section 13(2), followed by possession notice under Section 13(4) of the Act in April, 2024.

5. Pursuant to the proceedings undertaken, the respondent bank had also filed application under Section 14 of the Act in Crl.M.P.No.33914 of 2024 before the Chief Metropolitan Magistrate, Egmore, Chennai, for securing possession and, by the order dated 21.6.2024, Crl.M.P.No.33914 of 2024 came to be allowed and the bank was allowed to take possession of the secured assets with the help of the Advocate-Commissioner. The petitioner has challenged the order passed under Section 14 of the Act before the DRT in S.A.No.142 of 2025 along with an application for interim stay and the said SA is still pending. In the meantime, the respondent bank had also issued sale notice for the property and, admittedly, the sale has been conducted as early as 17.03.2026. The petitioner had also challenged the sale notice in S.A.No.303 of 2026 before the DRT and the same is also pending.



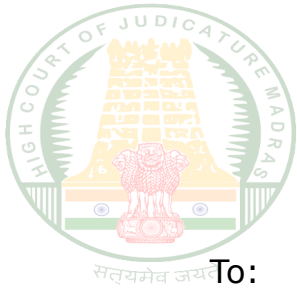
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6. When the secured creditor had initiated proceedings under the Act and obtained order under Section 14 of the Act and conducted sale, in which the secured assets are stated to have been sold and also the petitioner had approached the DRT under Section 17 of the Act challenging the order passed under Section 14 of the Act and the sale notice, the present writ petition filed by the petitioner seeking to forbear the respondent bank from taking possession is not maintainable and cannot be sustained.

7. It is for the petitioner to agitate her grievances in the pending securitisation applications where also she would be entitled to press for interim application. Therefore, we find no merits in the present writ petition and, accordingly, the same is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
10.08.2026

Index : Yes/No
Neutral Citation : Yes/No
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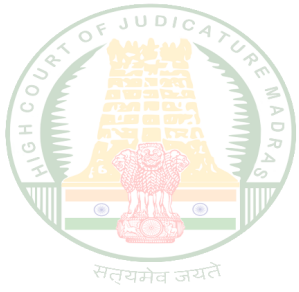


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To:

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Case Citation: (2026) ibclaw.in 4622 HC



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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