



W.P(MD)No.23921 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI  
and  
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR

W.P(MD)No.23921 of 2026

and

WMP (MD) Nos.17802, 17803 & 17805 of 2026

S.Jeyapal Varaprasatham

... Petitioner

VS.

The Authorised Officer,  
State Bank of India,  
Uthamapalayam.

... Respondent

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records relating to the impugned order dated 01.06.2026 passed in I.A.NO.560/2025 in SA.No.70/2023 by the Before the Debt Recovery Tribunal Madurai, Quash the same as illegal and violative of the Principles of Natural Justice.

For Petitioner : Mr. S.Jeyapal (Party-in-person)



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## **ORDER**

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

The writ petition has been filed against the order passed by the Debt Recovery Tribunal on 1<sup>st</sup> June 2026 in I.A. No.560 of 2025 in the pending S.A. No.70 of 2023.

2. A perusal of the records reveals that the petitioner borrowed a loan from the respondent Bank and upon his default, the loan was classified as a Non-Performing Asset. This led to the initiation of proceedings under the “Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002” (hereinafter referred to as “SARFAESI Act” for brevity). After the issuance of a demand notice under Section 13(2) of the SARFAESI Act on 22<sup>nd</sup> October 2021 and a possession notice under Section 13(4), followed by a sale notice under Section 13(4) on 27.05.2022. The property was sold way back in June 2022. A sale certificate was also issued in favour of the successful bidder/auction purchaser on 07.07.2022.



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3. Challenging the same, the borrower/petitioner has filed S.A. No. 70 of 2023 and it is pending even on date before the Debt Recovery Tribunal, Madurai.

4. Subsequently, it is seen from the records that the Bank had taken assistance as prescribed under Section 14 of the SARFAESI Act and acting upon the orders of the learned Chief Judicial Magistrate, Madurai, dated 23<sup>rd</sup> February 2023, the physical possession of the property was also taken and handed over to the purchaser on 18<sup>th</sup> August 2023.

5. This petitioner/party-in-person has filed multiple interlocutory applications before the Debt Recovery Tribunal and the order of the DRT indicates that the impugned order is passed in an interlocutory application where this petitioner had sought for the appointment of an Advocate Commissioner to inspect the property.

6. Per contra, the party-in-person would contend that he has filed an



**W.P(MD)No.23921 of 2026**

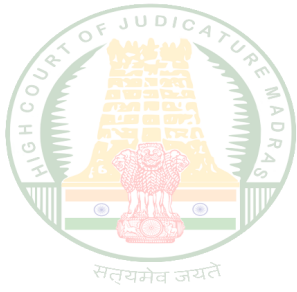
interlocutory application for a direction to hand over the hidden items that are not mentioned in the list of logistics/inventory given to him by the Bank.

7. The DRT, noticing the efflux of time, that the possession had been taken long back in August 2023, had declined to grant the relief.

8. The Registry had raised an objection to the entertainability of the writ petition by referring to the order of the First Bench dated 30<sup>th</sup> June 2026 in W.P. No.23657 of 2026, wherein the Hon'ble First Bench had directed the Registry not to entertain any writ petition under Article 226 against the orders passed by the Debt Recovery Tribunal.

9. This is in view of the alternative appellate remedy available under the Securitisation Act under Section 18, before the Debt Recovery Appellate Tribunal against any order that is passed by the DRT, Madurai.

10. In view of the objection raised by the Registry and further in



**W.P(MD)No.23921 of 2026**

WEB COPY

view of the orders passed by the Hon'ble First Bench in W.P. No.23657 of 2026, we are not inclined to entertain the present writ petition. Accordingly, the objection raised by the Registry is sustained.

11. Since the petitioner has an effective alternative remedy available before the appellate forum, this writ petition is dismissed by granting liberty to the petitioner to approach the DRT and the DRAT to dispose the S.A. No.70 of 2023 as expeditiously as possible. No costs. Consequently, the connected miscellaneous petitions are closed.

**[M.D.I.,J.] & [N.D.K.,J.]**  
**18.08.2026**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
PKN

To

The Authorised Officer,  
State Bank of India,  
Uthamapalayam.



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Case Citation: (2026) ibclaw.in 4813 HC



**W.P(MD)No.23921 of 2026**

**M.DHANDAPANI, J.**  
**and**  
**N.DILIP KUMAR, J.**

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**W.P(MD)No.23921 of 2026**

**18.08.2026**