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WP No.22347 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,  
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

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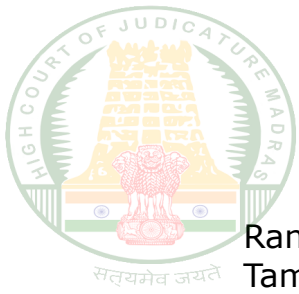
M/s. Ugro Capital Limited  
Rep. by its Authorized signatory,  
R.Arun,  
Having branch office at  
2<sup>nd</sup> Floor, 50 Gandhi Road,  
above HDFC Bank, West Tambaram,  
Chennai 45

: Petitioner

Versus

- 1.The Chief Judicial Magistrate,  
Ranipet, 632 401
- 2.M/s.NAGA Engineering works (Borrower)  
D.No.275, SF No.548 Krishnapuram street,  
Pulivalam village, sholingur,  
Vellore, Walljah, Tamil Nadu 631 102
- 3.P.Radha (Co- Borrower)  
275, SF No.548 Krishnapuram  
Pulivalam, Karaikal PO,  
Ranipet, Vellore , Walljah,  
Tamil Nadu 631 102
- 4.N.Pandurangan (CO- BORROWER)  
275 SF No. 548 Krishnapuram  
Pulivalam, Karaikal PO,

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Ranipet, Vellore , Walljah,  
Tamil Nadu 631 102

: Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Chief Judicial Magistrate, Ranipet the 1st respondent herein, to number and dispose of the petitioners' company's application filed under Sec.14 of the SARFAESI Act, vide Crl.M.P.Filing Number 110 of 2026 dated 18.02.2026 without insisting upon production of a registered Memorandum of Deposit of Title Deeds, within a time frame fixed by this court.

For Petitioner : Mr.S.Sundaresan

### ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

In this petition filed under Article 226 of the Constitution of India, the petitioner seeks a Writ of Mandamus directing the Chief Judicial Magistrate, Ranipet, to number and dispose of the petitioner's application filed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, dated 18.02.2026 without insisting upon production of registered Memorandum of Deposit of Title Deeds.



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2. The manner in which applications filed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 should be dealt with, has been considered, and a detailed order has been passed by this Court in WP No.16489 of 2026, dated 05.06.2026 (*Vijayanand Srinivasan vs. Punjab National Bank*).

The relevant portion of the order reads as follows:

*“10. In view of the foregoing discussion and the settled legal position as enunciated by the Supreme Court, we issue the following directions applicable to all Chief Metropolitan Magistrate/ Judicial Magistrates/District Magistrates exercising powers under Section 14 of the SARFAESI Act across the State of Tamil Nadu:*

*(i) Upon receipt of a written application under Section 14(1) of the SARFAESI Act from a secured creditor, the CMM/CJM/DM (hereinafter collectively referred to as "the Designated Authority") shall immediately register the application. No application under Section 14 of the SARFAESI Act shall be listed for arguments on registration. The Designated Authority is not required to conduct any pre-registration hearing whatsoever.*

*(ii) Upon registration, the Designated Authority shall verify only the following two aspects:*

*(a) whether the secured assets fall within its territorial jurisdiction;*

*(b) whether a notice under Section 13(2) of the SARFAESI Act has been duly served upon the borrower;*



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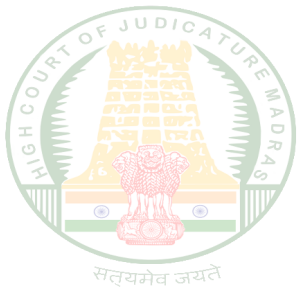
(c) whether the application is accompanied by the affidavit as mandated under the first proviso to Section 14(1) of the SARFAESI Act, duly affirmed by the authorized officer of the secured creditor, affirming compliance of clauses (i) to (ix) thereof; and

(d) The Designated Authority shall also ascertain whether the case of the secured creditor falls under any of the exceptions provided under Section 31 of the SARFAESI Act.

(iii) The nature of the inquiry under Section 14 of the SARFAESI Act is ministerial and not adjudicatory. The Designated Authority is not required and is indeed prohibited from adjudicating upon any dispute between the secured creditor and the borrower, or between the secured creditor and any third party (including any person in possession of the secured assets), in an application under Section 14 of the SARFAESI Act. All such disputed questions of law or fact are exclusively within the jurisdiction of the Debts Recovery Tribunal under Section 17 of the SARFAESI Act.

(iv) The Designated Authority is not required to issue notice to the borrower, mortgagor, guarantor, or any third party before passing an order under Section 14(1) of the SARFAESI Act. The power under Section 14(2) is an enabling provision and the Designated Authority may, if necessary, use force for securing compliance.

(v) Upon being satisfied about the contents of the affidavit and the existence of its territorial jurisdiction, the Designated Authority shall pass a suitable order within 30 days from the date of filing of the application, as mandated by the second proviso to Section 14(1) of the SARFAESI Act. In exceptional circumstances beyond the control of the Designated Authority, the said period may be extended by recording



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*reasons in writing, but shall not exceed 60 days in the aggregate from the date of filing of the application.*

*(vi) The Designated Authority is competent to authorise any officer subordinate to it, in accordance with Section 14(1-A), to take possession of the secured assets and documents relating thereto and forward the same to the secured creditor. The Designated Authority may, if it deems fit, appoint an Advocate Commissioner as an officer of its court for this purpose.*

*(vii) In cases where the secured assets have been given on lease or tenancy by the borrower prior to the mortgage and the tenant/lessee is in occupation, the Designated Authority shall be guided by the mandate of the Supreme Court in Harshad Govardhan Sondagar v. International Assets Reconstruction Co. Ltd (2014) 6 SCC 1), and Vishal N. Kalsaria v. Bank of India (2016) 3 SCC 762). In such cases, a notice and opportunity of hearing shall be given to the person claiming to be a Class 1 or Class 2 lessee/tenant, consistent with the principles of natural justice, before passing an order under Section 14 of the SARFAESI Act. However, such inquiry shall be limited to verification of the genuineness of the tenancy claim and shall not result in adjudication of inter se rights. The Designated Authority shall not defer its decision indefinitely on account of such occupancy; the decision must be rendered within the overall time-limit under Section 14(1) of the SARFAESI Act.*

*(viii) Any person aggrieved by an order passed under Section 14 or by any step taken under Section 13(4) of the SARFAESI Act, including a tenant or occupant, has a statutory remedy of appeal/application under Section 17 of the SARFAESI Act before the Debts Recovery Tribunal having jurisdiction. The Designated Authority*



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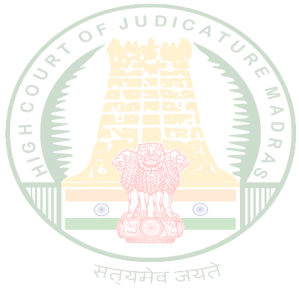
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shall, in its order, make note of this statutory remedy available to any aggrieved party.

(ix) *In the event the Designated Authority fails to pass an order within the time-limit prescribed under Section 14 of the SARFAESI Act and the secured creditor or aggrieved party approaches this Court by way of a writ petition, the Designated Authority shall file a statement of reasons for the delay before this Court. Unexplained delays in deciding applications under Section 14 of the SARFAESI Act shall be viewed seriously by this Court and may attract adverse comments and, in appropriate cases, consequential orders.*

(x) *This Court is conscious that a large volume of applications under Section 14 of the SARFAESI Act are pending before various courts across the State of Tamil Nadu. To ensure the effective implementation of these directions, the Registrar General shall forward a copy of this order with a direction to all Principal District and Sessions Judges in the State of Tamil Nadu, with a further direction to circulate it to all Metropolitan Magistrates, Chief Judicial Magistrates and Additional Chief Judicial Magistrates who are exercising or likely to exercise jurisdiction under Section 14 of the SARFAESI Act within their respective districts.*

(xi) *The Registry shall also send a copy of this order to the Chief Secretary, Government of Tamil Nadu, with a request to circulate this order among all District Magistrates/ Additional District Magistrates in the State of Tamil Nadu, so as to avoid unnecessary delays and the opening of a flood-gate of writ petitions before this Court.*



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3. The grievance of the petitioner is that in spite of filing an application under Section 14 of the Act of 2002, the first respondent has returned the application on 18.02.2026, without even numbering the same. In the circumstances, we grant liberty to the petitioner to approach the first respondent to re-present the application as expeditiously as possible. If the application is re-presented, the first respondent is bound to take a decision in the light of the order passed by this Court in *Vijayanand Srinivasan*.

4. With this observation, the writ petition stands disposed of. There will be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G.ARUL MURUGAN, J.)  
17.06.2026

Index : Yes/No  
Neutral Citation : Yes/No  
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To

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