



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Eleventh day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DURAI SWAMY
and
The Hon`ble Mr.Justice S.S.SUNDAR

WMP(MD) No.11088 of 2018
IN
WP(MD) No.8090 of 2018

M/S.SHEELA CHRISTIAN CHARITABLE TRUST,
REP. BY ITS MANAGING TRUSTEE,
MRS.P.KALA REENA,
KIND EDUCATIONAL INSTITUTIONS CAMPUS,
NALLUR, N.PUDUPATTY,
NAMAKKAL-637 020.

... PETITIONER/PETITIONER/PETITIONER

Vs

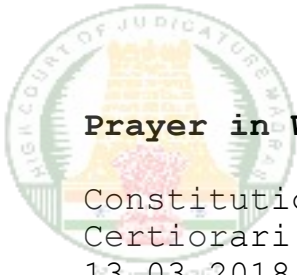
1 THE AUTHORIZED OFFICER,
RELIGARE FINVEST LTD.,
CORPORATE CASTLE NO.794-A, 3RD FLOOR,
VERIVADA ROAD, NEAR SHANMUGA THEATRE,
METTUPALAYAM ROAD, COIMBATORE-641 002.

2 RELIGARE FINVEST LTD.,
REP. BY ITS BRANCH MANAGER,
CORPORATE CASTLE NO.794-A,
3RD FLOOR, VERIVADA ROAD,
NEAR SHANMUGA THEATRE,
METTUPALAYAM ROAD,
COIMBATORE-641 002.

3 DEBTS RECOVERY TRIBUNAL - MADURAI,
III & IV FLOOR, KALYANI TOWERS,
4/162, MADURAI MELUR ROAD,
(NEAR MEENAKSHI MISSION HOSPITAL)
UTHANGUDI POST,
MADURAI 625 107

... RESPONDENTS/RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the order dated 13.04.2018 by extending the four weeks of time for payment of sum of Rs.37,08,000/- and pass such further or other order as this Honble Court may deem fit and proper in the circumstances of the case.



Prayer in WP(MD) .8090/2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for the records relating to the order dated 13.03.2018 made in I.A.No.602 of 2018 in S.A.No.126 of 2018 on the file of the 3rd respondent herein, in so far as it directs the petitioner to make payment of sum of Rs.87,08,000/- each in three instalments and quash the same.

ORDER: This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.OM PRAKASH, Senior Counsel for VASTLAW ASSOCIATES, Advocate for the petitioner, the court made the following order:-

(Order of the Court was made by **M.DURAISWAMY, J.**)

Mr.Om Prakash, learned Senior Counsel appearing for the petitioner submitted that the petitioner had complied with the first part of the order, dated 13.04.2018, by depositing a sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) on 14.04.2018. Further the learned Senior Counsel submitted that the petitioner has also complied with a portion of the second part of the order by depositing a further sum of Rs.10,00,000/- (Rupees Ten Lakhs only) by RTGS on 24.05.2018.

2. The learned Senior Counsel further submitted that for paying the balance amount of Rs.27,08,000/- (Rupees Twenty Seven Lakhs and Eight thousand only), the petitioner may be granted four weeks' time, for the reason that the petitioner is not in a position to mobilise the funds immediately.

3. The petitioner has explained the reasons seeking for extension of time in the affidavit filed in support of the petition.

4. Though notice was duly served on the respondents and their names were printed in the cause list in respect of the writ petition, none appeared for the respondents.

5. Being satisfied with the reasons stated in the affidavit filed in support of the petition and also the submissions made by the learned Senior Counsel appearing for the petitioner, we are inclined to extend the time by four weeks. Accordingly, the petitioner is granted four weeks' time for depositing the balance amount of Rs.27,08,000/- (Rupees Twenty Seven Lakhs and Eight thousand only) from today.

sd/-

11/06/2018

/ TRUE COPY /



TO

1 THE AUTHORIZED OFFICER,
RELIGARE FINVEST LTD.,
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+1. C.C. to M/S.VAST LAW ASSOCIATES, Advocate SR.No.10122

ORDER

IN

WMP (MD) No.11088 of 2018

IN

WP (MD) No.8090 of 2018

Date :11/06/2018

PK/PN/ASVM/11.06.2018 : 3P/5C