



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.R.P (MD)No.108 of 2021

and

C.M.P (MD)No.700 of 2021

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C.Velammal

:Petitioner/Petitioner/Applicant

.vs.

The Authorized Officer,
M/s.Sundaran BNP Paribas Home Finance Limited,
Formerly known as Sundaram Home Finance Limited,
Branch Office at
KASP Towers, No.51, 4th Floor,
(Near Aristo Hospital),
Bye-Pass Road,
Ponmeni,
Madurai - 625 016.

:Respondent/Respondent/Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the constitution of India praying this Court to set aside the order made in I.A.No.672 of 2020 in S.A.No.158 of 2020, dated 10.06.2020, on the file of Debts Recovery Tribunal, Madurai.

For Petitioner

:Mr.A.Jeyaram

ORDER

[Order of the Court was made by **PUSHPA SATHYANARAYANA, J.**]

This Civil Revision Petition is directed against the order passed by the Debts Recovery Tribunal at Madurai in I.A.No.672 of 2020 in S.A.No.158 of 2020, dated 10.06.2020.

2.Heard the learned counsel for the revision petitioner and perused the materials placed before this Court. As the revision petitioner is willing to comply with the order passed by the Debts Recovery Tribunal in the I.A.No.672 of 2020 in S.A.No.158 of 2020, dated 10.06.2020 and seek only extension of time for payment and also stated that possession is not yet taken, the following order is passed, without notice to the respondent.

3.The above said I.A has been filed by the revision petitioner herein to stay all further proceedings taken by the respondent/Finance Limited under Section 14 of the SARFAESI Act,



2002, to take physical possession of the schedule mentioned property in Cr.M.P.No.219 of 2020, dated 05.03.2020, pending disposal of the main application.

4.The said application was allowed on condition that the revision petitioner herein, who is a borrower deposits a sum of Rs.4,84,000/- towards first installment, directly to the respondent on or before 10.07.2020 and another sum of Rs.4,84,000/- towards second installment, directly to the respondent on or before 10.08.2020.

5.The only ground raised by the revision petitioner is that the said order was not communicated and she was not aware of the same. It is further stated that in view of the COVID-19 PANDEMIC, the matters have been periodically adjourned without any hearing and that she was also under the impression that no orders have been passed. The learned counsel for the revision petitioner would submit that he is willing to obey the same order, but only seeks extension of time for payment.

6.Accordingly, the revision petitioner is directed to pay a sum of Rs.4,84,000/- as first installment, directly to the respondent on or before 10.03.2021 and another sum of Rs.4,84,000/- as second installment, directly to the respondent on or before 10.04.2021 and failure to pay any one of the installment by the revision petitioner, the stay granted by the Debts Recovery Tribunal, Madurai shall stand automatically vacated without further reference to this Court.

7.With the above directions, the Civil Revision Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

The Presiding Officer,
Debt Recovery Tribunal,
Madurai.

C.R.P (PD) (MD) No.108 of 2021

02.02.2021

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