



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction**

Thursday, the Twenty Second day of July Two Thousand and Twenty One

PRESENT

**The Hon'ble Mr. Justice T.S.SIVAGNANAM
AND
The Hon'ble Mrs. Justice S.ANANTHI**

**WMP(MD) . No.9428 of 2021
in
W.P. (MD) .No.260 of 2021**

Panchavarnam. S

... Petitioner

Vs

1. M/s.Aptus Value Housing Finance India Ltd.,
Rep. by its Authorized Signatory,
No.8B, Doshi Towers,
205, Poonamallee High Court,
Kilpauk, Chennai-600 010.

2. The District Collector,
Madurai District, Madurai.

3. The Tahsildar,
Madurai North Taluk, Madurai.

... Respondents

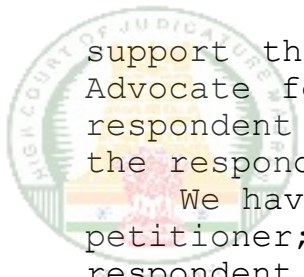
Prayer in WMP(MD) . No.9428 of 2021 :-

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to grant an order of Extension of time to comply with the direction issued by this Hon'ble Court in W.M.P(MD) No. 6619 of 2021 dated 29.04.2021 in W.P(MD)No. 260 of 2021 dated 06.01.2021.

Prayer in WP(MD)No. 260 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the notice issued by the Tahsildar, Madurai North in Roc.No.6612/2020/B6 dated 22.12.2020 served on the petitioner on 5.1.2021 quash the same as illegal and consequently direct the first respondent to forbear from evicting the petitioner from his only source of residence and livelihood without due process of law and further grant the petitioner time to pay back entire amount due to the first respondent.

<https://hccourtrecords.mca.gov.in/hccservices/>
ORDER. In this Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in



support thereof and upon hearing the arguments of Mr.W.Pamelin, Advocate for the Petitioner and of M/S. MAHALAKSHMI, Advocate for respondent No.1, Mr.R.Baskaran, Standing Counsel For Government for the respondents No.2 & 3, this Court made the following order:

We have heard Ms.W.Pamelin, learned counsel appearing for the petitioner; Ms.Mahalakshmi, learned counsel appearing for the first respondent and Mr.R.Baskaran, learned Government Counsel appearing for the respondents 2 and 3.

2. This petition has been filed to extend the time granted by this Court in its order dated 07.01.2021. Taking note of the facts and circumstances and the submissions of the learned counsel appearing for the petitioner, we granted extension of time till 15.07.2021 to pay the remaining amount of Rupees Two Lakhs Seventy Five Thousand, making it clear that no further extension would be granted and if the petitioner does not comply with the condition within the extended time, the respondent-finance company shall take action in terms of the order obtained by him. Now the petitioner is before this Court stating that due to severe financial constraints, she being a sole bread-winner of the family is unable to muster funds and comply with the order. Since already extension of time has been granted and the first respondent is the private finance company, we cannot extend further time. All that we can do is sympathize with the petitioner and nothing more.

3. The learned counsel for the petitioner submitted that out of the total outstanding, Rupees Two Lakhs had already been paid by the petitioner and she requests further time and she is willing to pay the balance amount in installments also. However, the first respondent-finance company insisting the petitioner to pay the entire amount of Rupees Two Lakhs Seventy Five Thousand in one installment.

4. The learned counsel appearing for the first respondent-finance company submits that till date the petitioner has not approached the respondent-finance company and if she shows her *bona fide*, then it is always open to the first respondent-finance company to consider her request.

5. In the light of the above, while refusing to grant further extension of time, we grant liberty to the petitioner to pay a sum of Rupees Two Lakhs Seventy Five Thousand in two installments. However, for the petitioner to have such indulgence, the petitioner has to pay 50% of the said amount on or before 02.08.2021 and the remaining 50% on or before 23.08.2021.

6. With the above observation, this **Miscellaneous Petition stands disposed of.**

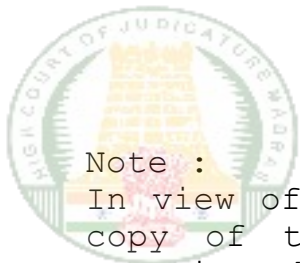
Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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

1. The District Collector,
Madurai District, Madurai.
2. The Tahsildar,
Madurai North Taluk, Madurai.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 22/07/2021

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ORDER
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WMP(MD) . No.9428 of 2021
in
W.P. (MD) .No.260 of 2021

Giving direction and etc.
as stated within.

RC (30.07.2021) 3P-4C