



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.757 of 2022
and
WMP(MD)No.598 of 2022

S.Thomas

... Petitioner

vs.

1) The Branch Manager,
Indian Overseas Bank,
Regional Office,
552/3, MS Road, Vetturimadam,
Nagercoil-629 003,
Kanyakumari District.

2) The Authorised Officer,
Indian Overseas Bank,
Regional Office,
552/3, MS Road, Vetturimadam,
Nagercoil-629 003,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records on the files of the respondent pertaining to the impugned sale notice dated 29.12.2021 and to quash the same and consequently directs the respondents to grant time to settle the loan account of the petitioner by considering the representation of the petitioner dated 02.09.2021.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.N.Dilip Kumar

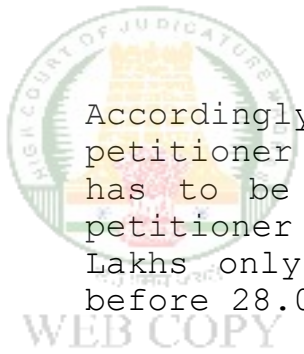
ORDER

(Order of the Court was made by **PUSHPA SATHYANARAYANA, J.**)

E-Auction Sale Notice dated 29.12.2021 is under challenge in this writ petition.

2. The respondent Bank has initiated proceedings to recover a sum of Rs.18,46,532/-. Earlier, on 20.01.2022, the petitioner was directed to give a payment schedule which is acceptable by the Bank.

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Accordingly, on 29.01.2022, a sum of Rs.4,00,000/- was paid by the petitioner and another sum of Rs.1,00,000/-(Rupees One Lakh only) has to be paid by him before the end of Today(31.01.2022). The petitioner also has agreed to pay a sum of Rs.6,00,000/- (Rupees Six Lakhs only) on or before 28.02.2022 and the balance amount on or before 28.03.2022.

3. The learned counsel appearing for the Bank also agrees for the above payment schedule.

4. In view of the above arrangement between the parties, the E-Auction Sale Notice dated 29.12.2021 will be put off. If the petitioner fails to make payment as per the above payment schedule, the respondent Bank will be entitled to take any further action in a manner known to law.

5. Recording the above arrangement, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1) The Branch Manager,
Indian Overseas Bank,
Regional Office,
552/3, MS Road, Vetturimadam,
Nagercoil-629 003,
Kanyakumari District.

2) The Authorised Officer,
Indian Overseas Bank,
Regional Office,
552/3, MS Road, Vetturimadam,
Nagercoil-629 003,
Kanyakumari District.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-3215[F] dated 31/01/2022)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate(SR-3492[F] dated 01/02/2022)

W.P(MD)No.757 of 2022
DATED : 31.01.2022

MGJ(11.02.2022) 2P 5C

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