



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No. 6691 of 2022

S.Chandrasekaran

... Petitioner

Vs

The Authorized Officer,
Canara Bank, SME Branch,
No.1, Mullaivasal,
Dheenadayal Nagar,
Tanjore Main Road,
Thiruverumbur,
Trichy - 620 013.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to extension of time to pay the second instalment for a sum of Rs.5 lakhs as per the order of the Hon'ble Debt Recovery Tribunal, Madurai dated 11.02.2022 in I.A.No.261 of 2022 in S.A.No.73 of 2022.

For Petitioners : Mr.K.Asok Kumar Ram

For Respondent : Mr.C.Deepak

ORDER

[Made by R.VIJAYAKUMAR, J.]

The present writ petition has been filed seeking a mandamus for extension of time granted by the Debts Recovery Tribunal, Madurai, for payment of the second installment by its order dated 11.02.2022.

2. The Debts Recovery Tribunal, Madurai, has directed the writ petitioner to deposit a sum of Rs.10.00 lakhs as a pre-condition for granting interim stay of the sale notice. As per the said order, the writ petitioner was directed to deposit a sum of Rs.5.00 lakhs on or before 11.03.2022, which the petitioner has already complied with in time. The petitioner was directed to deposit the second installment of another Rs.5.00 lakhs on or before 08.04.2022.

3. The writ petitioner has annexed some medical records to show that he has undergone Angiogram and hence, he seeks extension of time for payment of the second installment.



4. Considering the fact that the property that is sought to be sold is a dwelling house of the petitioner and the medical condition of the petitioner, time is extended till 09.05.2022 to deposit the second installment of Rs.5.00 lakhs before the concerned bank.

5. The petitioner is directed to deposit the second installment on or before 09.05.2022. In case of any default, the bank shall be entitled to proceed further under the SARFAESI Act.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

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Sub Assistant Registrar(CS)

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TO

1.The Debts Recovery Tribunal,
Madurai.

2.The Authorized Officer,
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Tanjore Main Road,
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SB (CO)

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