



WEB COPY

W.P(MD) No.9802 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD) No.9802 of 2022

and

W.M.P. (MD) Nos.7020 & 7021 of 2022

D.Chella Sangu Raja

... Petitioner

Vs.

1.The Authorized Officer/Chief Manager,
Indian Bank,
Sivaganga Branch,
P.B.No.7 124, Market Road,
Sivagangai District.

2.The Branch Manager,
Indian Bank,
P.B.No.7 124, Market Road,
Sivagangai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for the records of the impugned order passed by the first respondent, dated 25.04.2022 and quash the same.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.Pandivel
Standing Counsel

O R D E R

[Order of the Court was made by **D.KRISHNAKUMAR, J.**]

Heard Mr.Pandivel, learned Standing Counsel, who takes notice for the respondents. By consent of both parties, the Writ Petition itself is taken up for final disposal.



2.Challenging the impugned order, dated 25.04.2022 passed by the first respondent, the petitioner has filed the present Writ Petition.

3.When the matter was taken up for hearing today, this Court directed the respondent Bank to verify the calculation of the outstanding amount made by the respondent Bank with their documents, which is enclosed in the typedset of papers. The matter was passed over at the instance of the learned counsel for the respondent Bank. In the mean time, both the learned counsel discussed with the Bank and arrived at a conclusion that the petitioner has to pay the outstanding amount of Rs.6,13,000/- as on today and the petitioner undertakes to pay the said amount on the following instalments:-

(i) The petitioner has to pay a sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the respondent Bank on or before the date of auction sale viz., on 16.05.2022 as a first instalment;

(ii) The petitioner has to pay a sum of Rs.1,50,000/- (Rupees One lakh and Fifty Thousand Only) to the respondent Bank on or before 16.06.2022 as the second instalment;

(iii) The petitioner has to pay a sum of Rs.1,50,000/- (Rupees One lakh and Fifty Thousand Only) to the respondent Bank on or before 16.07.2022 as the third instalment;

(iv) The petitioner has to pay a sum of Rs.1,50,000/- (Rupees One lakh and Fifty Thousand Only) to the respondent Bank on or before 16.08.2022 as the fourth instalment;

(v) The petitioner has to pay the entire balance amount to the respondent Bank on or before 16.09.2022 as the fifth instalment.

(vi) In case of any default in payment of any one of the aforesaid instalments, the respondent Bank is at liberty to proceed further in accordance with the Rules and Regulations of the Bank.

(vii) Till such time, it is agreed that the respondent Bank shall not confirm the sale proceedings.

4. Recording the above said settlement arrived at between the parties concerned, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Vacation Officer
Assistant Registrar (CS-I)

// True Copy //

/ /2022
Sub Assistant Registrar (CS)

PS/Myr



To

1.The Authorized Officer/Chief Manager,
Indian Bank,
Sivaganga Branch,
P.B.No.7 124, Market Road,
Sivagangai District.

2.The Branch Manager,
Indian Bank,
P.B.No.7 124, Market Road,
Sivagangai District.

+1 CC to M/s.R. SARAVANAN, Advocate (SR-23658[F] dated 12/05/2022)

ORDER MADE IN
W.P. (MD) No. 9802 of 2022
11.05.2022

PKP/17.05.2022/3P/4C