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WMP(MD) N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Fifth day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
AND

The Hon`ble Mrs.Justice S.SRIMATHY

WMP(MD) No.10025 of 2022

IN

WP(MD) No.8482 of 2022

A.THIRUVETTAI

... PETITIONER/PETITIONER/PETITIONER

Vs

1 THE CREDIT GUARANTEE FUND TRUST,
FOR MICRO AND SMALL ENTERPRISES (CGTMSE)
REP BY ITS CHIEF EXECUTIVE OFFICER,
1ST FLOOR, SIDBI, SWAVALAMBAN BHAVAN,
C-11, G-BLOCK, BANDRA EAST,
BANDHA KARTA COMPLEX, MUMBAI-400 051.

2 THE MICRO, SMALL AND MEDIUM ENTERPRISES INSTITUTE,
REP BY ITS AUTHORIZED OFFICER,
65/1, GST ROAD, GUINDY, CHENNAI.

3 THE AUTHORIZED OFFICER,
TAMILNADU GRAMA BANK, (PANDYAN GRAMA BANK),
THIRUMANGALAM BRANCH, THIRUMANGALAM.

4 THE BRANCH MANAGER,
TAMILNADU GRAMA BANK, (PANDYAN GRAMA BANK),
THIRUMANGALAM BRANCH, THIRUMANAGALAM.

5 T.ANBUSELVAN

6 THE EXECUTIVE OFFICER,
ARULMIGU MEENAKSHI CHOKKANATHAR KOVIL,
TIRUMANGALAM,
MADURAI DISTRICT.

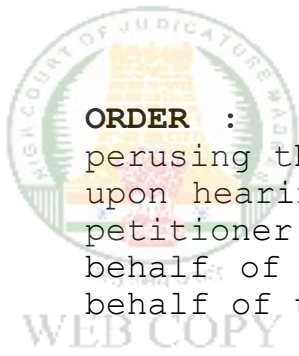
... RESPONDENTS/RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to extend the time granted in W.M.P.(MD).No.6233 of 2022 in W.P.(MD).No.8482 of 2022 dated 28.04.2022 and grant further three months time.

Prayer in WP(MD). 8482/ 2022 :

To issue of Writ of Certiorari calling for the records relating to the impugned possession notice issued by the 3rd respondent dated 16.03.2022 and quash the same.

<https://www.mhc.tn.gov.in/judis>



ORDER : This petition coming up for orders on this day, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.JENIFAR BIBIN, Advocate for the petitioner and of MR.N.DILIPKUMAR, Standing Counsel for bank on behalf of the Respondent Nos.3 & 4 and MR.S.MANO HAR, Advocate on behalf of the 6th Respondent, the court made the following order:-

[Order of the Court was made by S.S.SUNDAR, J.]

This petition is filed to extend the time granted in W.M.P(MD) No.6233 of 2022 in W.P(MD)No.8482 of 2022 dated 28.04.2022.

2.Heard M/s.Jenifar Bibin, learned counsel appearing for the petitioner and Mr.N.Dilipkumar, learned counsel appearing for the respondent Bank.

3.It is admitted that the petitioner has paid the first instalment of Rs.35 lakhs before 08.06.2022. However, the petitioner is unable to comply with the direction to pay further sum of Rs.4 lakhs on or before 04.07.2022. Hence, the petitioner has filed the present petition.

4.The learned counsel appearing for the petitioner states that due to financial difficulties, he is unable to make payment.

5.Considering the facts that the petitioner has remitted the first instalment and the total amount due is only around Rs.4 lakhs, this Court is inclined to extend the time by modifying the order to the effect that the petitioner shall pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) on or before 29.07.2022 and a further sum of Rs.2,00,000/-(Rupees Two Lakhs only) on or before 25.08.2022 directly before the respondent Bank. In case the petitioner fails to deposit any one of the instalments, the interim stay granted shall stand vacated automatically without further reference to this Court and it is open to the respondent to proceed further in accordance with law. Accordingly, this petition is ordered.

6.List the Writ Petition on 26.08.2022 under the caption 'for reporting compliance'.

sd/-
05/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE CHIEF EXECUTIVE OFFICER,
CREDIT GUARANTEE FUND TRUST,
FOR MICRO AND SMALL ENTERPRISES (CGTMSE)
1ST FLOOR, SIDBI, SWAVALAMBAN BHAVAN,
C-11, G-BLOCK, BANDRA EAST,
BANDHA KARTA COMPLEX, MUMBAI-400 051.

2 THE AUTHORIZED OFFICER,
MICRO, SMALL AND MEDIUM ENTERPRISES INSTITUTE,
65/1, GST ROAD, GUINDY, CHENNAI.

COPY TO :

THE PRINCIPAL DISTRICT JUDGE,
MADURAI.

+1 CC to M/s.R.JENIFAR BIBIN, Advocate (SR-6763[I] dated 07/07/2022)
+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-6695[I] Dated 06/07/2022)

ORDER
IN
WMP(MD) No.10025 of 2022
IN
WP(MD) No.8482 of 2022
Date :05/07/2022

RS/SVR/SAR.1 (13.07.2022) 3P-6C