



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

Wednesday, the Thirteenth 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

W.M.P. (MD) No.10876 of 2022
in
W.P. (MD) No.10410 of 2022

- 1 SREE KARPAGA VINAYAGAR STORES
NO.888, PERIYAKULAM ROAD, THENI 625 531,
REP BY ITS PROPRIETOR, MR.M.PRAVEENKUMAR.
- 2 PRAVEENKUMAR.M
S/O.A.MAHENDRAN,
PROPRIETOR M/S.SREE KARPAGA VINAYAGAR STORES,
RESIDING AT D.NO.9A/1,
SALES SOCIETY STREET, THENI 625 531. ... PETITIONERS/PETITIONERS

Vs

- 1 M/S CANARA BANK
THENI BRANCH, MADURAI ROAD, THENI 625 531,
REP. BY ITS AUTHORIZED OFFICER.
- 2 THE CHIEF JUDICIAL MAGISTRATE
THENI. ... 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 to pay 3rd instalment of Rs.20,00,000/- by one month from 15.07.2022 as per the conditional order of this Honble Court dated 25.05.2022 in WP (MD) No.10410 of 2022 and WMP (MD) Nos. 7447 and 7450 of 2022 on the file of this Honble Court.

Prayer in WP(MD). 10410/ 2022 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 7.4.2022 made in Cr.M.P.No.6784 of 2021 on the file of learned Chief Judicial Magistrate, Theni, and the consequential impugned E-Auction Sale Notice dated 9.5.2022 proposing to conduct e-auction sale on 30.5.2022 fixing the Reserve Price at Rs.1,35,00,000/- quash the same and consequently direct the 1st respondent bank to furnish



a proper statement of account of accounts for the dues payable by the petitioner after giving concessions and moratorium granted by the Government of India and Reserve Bank of India in the wake of Covid-19.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.APPADURAI.K, Advocate for the petitioner and of M/S.R.ANANDHARAJ, on behalf of the Respondent No.1, the court made the following order:-

(The order of the Court was made by **S.S.SUNDAR, J.**)

This petition is filed to extend the time to pay the third instalment of Rs.20,00,000/- by one month from 15.07.2022 as per the conditional order of this Court in W.P.(MD)No.10410 of 2022 and W.M.P.(MD)Nos.7447 and 7450 of 2022, dated 25.05.2022.

2.Heard Mr.K.Appadurai, learned Counsel for the petitioners and Mr.R.Anandharaj, learned Counsel for the first respondent.

3.Considering the reasons stated in the affidavit filed in support of this petition and after hearing the learned Counsel for the petitioners, this Court is of the view that the petitioners may be given 30 more days to comply with the conditional order of this Court. Accordingly, this petition is allowed and 30 more days is granted to the petitioners to pay the third instalment of Rs.20,00,000/- by one month from 15.07.2022 in partial modification of the conditional order of this Court in W.P.(MD)No.10410 of 2022 and W.M.P.(MD)Nos.7447 and 7450 of 2022, dated 25.05.2022.

sd/-
13/07/2022

/ TRUE COPY /

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

TO
THE CHIEF JUDICIAL MAGISTRATE, THENI.

+1. C.C. to M/S. APPADURAI. K Advocate SR.No.7070
ORDER
IN
W.M.P.(MD)No.10876 of 2022
in
W.P.(MD)No.10410 of 2022
Date :13/07/2022

RK/JM/SAR-III/22.07.2022/2P/3C

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