



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Tuesday, the Twenty Ninth day of November Two Thousand and Twenty
Two

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PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN
AND
The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

WMP(MD). No.20940 of 2022
in
W.P(MD)No.22095 of 2022

Fathima Beevi ... Petitioner/Petitioner
Vs

- 1 City Union Bank
Manapparai Trichy District Represented by
its Branch Manager
- 2 The Authorized Officer
City Union Bank Limited Credit Recovery and
Management Department Administrative Office
No.24-B Gandhi Nagar, Kumbakonam - 612 001
Thanjavur District.

... Respondents/Respondents

Prayer in WMP(MD). No.20940 of 2022:-

Writ Miscellaneous Petition filed Under Article 226 of the Constitution of India to pass order to extend the time granted in WP (MD) No.22095/2022 dated 19.09.2022 for the payment of Rs.5,00,000/- (Rupees Five Laksh only) on or before 10.10.2022 and the entire remaining outstanding in four consecutive equal monthly instalments, the first instalment shall be paid on or before 10.11.2022 and the subsequent three instalments shall be paid on or before 5th day of every English Calendar month.

Prayer in W.P(MD)No.22095 of 2022:-

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned Auction Sale Notice issued by the second respondent bank dated 18.08.2022 and quash the same as illegal.

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. A. Haja



Mohideen, Advocate for the Petitioner and of Mr. N. Dilip Kumar, Standing Counsel For Respondents, this Court made the following order:

[Order of the Court was made by **R.MAHADEVAN, J.**]

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This petition is filed seeking extension of time to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) on or before 10.10.2022 followed by instalments as ordered by this Court dated 19.09.2022.

2.Despite the order dated 19.09.2022, the respondent Bank without any authority, communicated the petitioner by letter dated 29.09.2022 that the property in question was sold out for a sum of Rs.19,00,000/-, which created confusion, though the petitioner made arrangements to pay a sum of Rs.5,00,000/- as directed by this Court.

3.Today, when the matter was taken up for hearing, the learned counsel for the petitioner has produced a Demand Draft for a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) drawn on 28.11.2022 in favour of the loan account of the petitioner and handed over the same to the learned Standing Counsel for the respondent Bank, who in turn is ready to hand over the same to the respondent Bank by today itself.

4.In view of the same, this petition seeking extension of time is ordered, granting permission to the petitioner to effect the payment of Rs.10,00,000/- followed by instalments as ordered by this Court dated 19.09.2022.

Sd/-

Assistant Registrar (CO)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

Myr

- 1 The Branch Manager
City Union Bank
Manapparai, Trichy District.
- 2 The Authorized Officer
City Union Bank Limited,
Credit Recovery and
Management Department Administrative Office
No.24-B Gandhi Nagar, Kumbakonam - 612 001
Thanjavur District.



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Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai

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+ 1.C.C. To M/s. A. Haja Mohideen SR.No.58227

+ 1.C.C. To M/s. N. Dilip Kumar SR.58717

ORDER DATED : 29/11/2022

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ORDER

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WMP(MD) . No.20940 of 2022
in

W.P(MD) No.22095 of 2022

Giving direction and etc.
as stated within.

RD/RG(06/12/2022) 3P 6C