



W.P(MD)No.29061 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2022

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.29061 of 2022
and
W.M.P(MD)Nos.23049 & 23050 of 2022**

Deepa

... Petitioner

VS.

The Authorized Officer,
Canara Bank,
Karur SME Branch,
Vijaya Tex Building,
4D, 80 Feet Road,
Karur District – 639 002.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Ceritorari, to call for the records relating to the impugned proceedings of the respondent in Ref: SARF/KAR-SME/S/SKM/2022-23, dated 23.11.2022 and quash the same as unconstitutional.

For Petitioner : Mr.J.Sivaram

For Respondent : Mr.R.Pandivel
Standing Counsel



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ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Mr.R.Pandivel, learned standing counsel takes notice for the respondent. By consent of both the parties, the Writ Petition is taken up for final disposal at the time of admission itself.

2.Challenging the impugned sale notice, dated 23.11.2022 issued by the respondent, the petitioner has filed the present Writ Petition.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner has fairly submitted that the petitioner undertakes to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) on or before 26.12.2022 at 02.15 p.m., and the remaining entire outstanding amount in five consecutive equal monthly instalments and the same shall be paid on or before 30th day of every English Calendar month until the entire payment is made and to that extent, he seeks indulgence of this Court to consider the request made by the petitioner, for which, the learned counsel appearing for the respondent is agreeable, however, with liberty to the respondent Bank to proceed against the petitioner in case of default in payment of any one of the instalments.



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4.Considering the submissions made on either side, the petitioner is directed to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) on or before 26.12.2022 at 02.15 p.m., and the remaining outstanding amount shall be paid in five consecutive equal monthly instalments. The first instalment shall be paid on or before 30.01.2023 and the subsequent four instalments shall be paid on or before 30th day of every English Calendar month, until the entire payment is made. Till such time, no coercive steps shall be taken by the respondent. If the petitioner fails to pay the amount in any one of the instalments, the respondent Bank may proceed further in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes
ps

[D.K.K.,J.] [R.V.,J.]
23.12.2022



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To

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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.29061 of 2022

DATED : 23.12.2022