



W.P(MD)No.679 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.679 of 2023

SBI Global Factors Limited
(Subsidiary of State Bank of India),
Having its Registered Office at 6th Floor,
Metropolitan Building,
Bandra - Kurla Complex,
Bandra East,
Mumbai - 400 051.
Rep. by its Authorised Signatory,
Shri.Ashish Mehta,
S/o.Shri.B.KJ.Mehta

... Petitioner

Vs.

1.The District Collector
Madurai District,
District Collector's Office,
Madurai - 625 020.



W.P(MD)No.679 of 2023

2.The Tahsildar

Thirupparankundram Taluk,
Madurai.

3.M/s.Sri Naga Nanthana Mills Limited,
No.51, Avaniyapuram Bye-Pass Road,
Avaniyapuram,
Madurai - 625 012.

4.V.Veerachamy

5.V.Nagarajan

6.V.Guruvammal

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus by calling for the records pertaining to the impugned order passed by the second respondent in Na.Ka.No.6632/2019/F1 dated 11.05.2022 and quash the same and consequently direct the second respondent to enforce the order passed by the first respondent in C6/32519/2017 dated 30.10.2019.

For Petitioner : Mr.J.Alaguraam Jothi

For Respondents : Mr.D.Sasi Kumar - for R1 & R2

Additional Government Pleader

Mr.J.Sankara Pandian - for R3 & R4



W.P(MD)No.679 of 2023

WEB COPY

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard Mr.J.Alaguraam Jothi, learned counsel for petitioner, Mr.D.Sasi Kumar, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.J.Sankara Pandian, learned counsel appearing for the respondents 3 and 4.

2. The Bank has filed the present Writ Petition, as the Tahsildar, had put on hold the action i.e., delivery of possession under Section 14 of the SARFEASI Act.

3. We had heard the matter yesterday and asked the learned counsel for the respondents 3 and 4, as to whether the respondents 3 and 4 would deposit an amount of Rs.1,00,00,000/- (Rupees One Crore only). The matter was kept today, so as to enable the learned counsel for the respondents 3 and 4 to take instructions.

4. The learned counsel for the respondents 3 and 4, on instructions, submitted that the respondents 3 and 4 would deposit a



W.P(MD)No.679 of 2023

sum of Rs.1,00,00,000/- (Rupees One Crore only) on or before 11th of September 2023 with the Bank. That statement is accepted as an undertaking to the Court.

5. In case, the petitioner deposits an amount of Rs.1,00,00,000/- (Rupees One Crore only) on or before 11th September, 2023, then, till 20th September 2023, the Bank may not proceed with notice under Section 14 of the SARFEASI Act.

6. The respondents 3 and 4 may approach the Bank with a proposal to pay the remaining amount or for One Time Settlement (OTS) as may be permissible. It is for the Bank to consider the application/proposal of the petitioner on its own merits and the decision shall be taken by the Bank. The proposal/application shall be given by the petitioner within a week from today.

7. Depending upon the decisions taken by the Bank on the proposal/application of the respondents 3 and 4, the parties may take further steps.



W.P(MD)No.679 of 2023

8. Accordingly, the Writ Petition is disposed of. No costs.

WEB COPY

[S.V.G., C.J.]

[C.K., J.]

01.09.2023

Index : Yes / No
Neutral Citation : Yes / No
RM

Note : Issue order copy on 01.09.2023

To

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Madurai - 625 020.

2.The Tahsildar

Thirupparankundram Taluk,
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W.P(MD)No.679 of 2023

THE HONOURABLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

RM

W.P(MD)No.679 of 2023

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