



W.P(MD)No.751 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

CORAM:

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

W.P(MD)No.751 of 2023

A.Kaleel Ragamadhu

... Petitioner

VS.

1.The Authorized Officer,
Tamil Nadu Mercantile Bank Limited,
Madurai Regional Officer,
For Palani Branch.

2.The Branch Manager,
Tamil Nadu Mercantile Bank Limited,
Palani Branch,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to provide three months time to settle the entire loan amount in Loan Account No.089700060750008 on the file of the second respondent Bank by considering the petitioner's representation, dated 05.01.2023.

For Petitioner : Mr.S.Louis

For Respondents : Mr.N.Dilip Kumar
Standing Counsel



W.P(MD)No.751 of 2023

WEB COPY

ORDER

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

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the respondents to provide three months time to settle the entire loan amount in Loan Account No.089700060750008 on the file of the second respondent Bank by considering the petitioner's representation, dated 05.01.2023.

2. Today, when the matter is taken up for hearing, learned standing counsel appearing for the respondent – Bank, submitted that challenging the impugned sale notice dated 17.12.2021 issued by the first respondent, earlier the petitioner filed a Writ Petition in W.P(MD)No.750 of 2022, wherein this Court by order dated 14.09.2022 has passed the following order:-

"13.Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is ready to settle the entire outstanding amount, deducting the amount already paid within a period of four months, for which, the learned counsel appearing for the respondents has agreed.



W.P(MD)No.751 of 2023

WEB COPY

14. Recording the above submissions, the petitioner is directed to pay the entire outstanding amount, deducting the amount already paid within a period of four months. Till then, respondents are directed not to take any coercive steps. If the petitioner fails to comply with the above said order, it is open to the respondents Bank to proceed further in accordance with law.

15. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.”

3.The learned standing counsel appearing for the respondent Bank submitted that pursuant to the above said order in W.P(MD)No.750 of 2022, dated 14.09.2022, the petitioner has not even paid a single pie to the respondent Bank.

4.At this juncture, the learned counsel appearing for the petitioner seeks liberty to file an appropriate application seeking for extension of time in W.P(MD)No.750 of 2022.



W.P(MD)No.751 of 2023

WEB COPY 5. Considering the abovesaid submissions, we are of the view that the Writ Petition is not maintainable. Accordingly, the Writ Petition is dismissed. However, with liberty to the petitioner to file an appropriate application seeking for extension of time in W.P(MD)No.750 of 2022, if he is so advised. No costs.

[D.K.K.,J.] [R.V.,J.]
11.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

- 1.The Authorized Officer,
Tamil Nadu Mercantile Bank Limited,
Madurai Regional Officer,
For Palani Branch.
- 2.The Branch Manager,
Tamil Nadu Mercantile Bank Limited,
Palani Branch,
Dindigul District.



WEB COPY



W.P(MD)No.751 of 2023

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

ps

ORDER MADE IN
W.P(MD)No.751 of 2023

DATED : 11.01.2023