



W.P(MD)No.1081 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2023

CORAM:

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

**W.P(MD)No.1081 of 2023
and W.M.P(MD)Nos.1004 & 1005 of 2023**

K.Karuppanaraja

... Petitioner

vs.

1.The District Collector cum District Magistrate,
Theni District, Theni.

2.The Special Tahsildar (Stamps),
Theni,
104, Old Ramanathapuram Collector Office,
Madurai.

3.The Authorized Officer,
Indian Bank,
Bodinayakkanur Branch,
Theni District.

... Respondents

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 pertaining to the impugned order passed by the first respondent dated 05.03.2020 in R.O.C.No.14344/2019/C5 and consequential notice issued by the second respondent dated 19.12.2022 in Na.Ka.No.214/2020/E and quash the same as illegal.

1/6



W.P(MD)No.1081 of 2023

WEB COPY

For Petitioner : Mr.A.Mohan
For RR 1 & 2 : Mr.M.Sarangan
Additional Government Pleader
For R – 3 : Mr.R.Pandivel
Standing Counsel

ORDER

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

The petitioner has filed the present Writ Petition for issuance of a Writ of Ceritorari, to quash the impugned order passed by the first respondent dated 05.03.2020 in R.O.C.No.14344/2019/C5 and consequential notice issued by the second respondent in Na.Ka.No. 214/2020/E dated 19.12.2022.

2.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner has filed an affidavit and submitted that the petitioner undertakes to pay a sum of Rs.3,00,000/- to the third respondent on or before 24.01.2023 and a sum of Rs.7,00,000/- to the third respondent Bank on or before 31.01.2023 and the remaining entire outstanding amount in six consecutive equal monthly instalments and the



W.P(MD)No.1081 of 2023

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 respondents 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.

3.The learned counsel appearing for the petitioner further seeks liberty to approach the third respondent Bank under One Time Settlement scheme.

4.Considering the submissions made on either side, the petitioner is directed to pay a sum of Rs.3,00,000/- to the third respondent on or before 24.01.2023 and a sum of Rs.7,00,000/- to the third respondent Bank on or before 31.01.2023 and the remaining outstanding amount shall be paid in six consecutive equal monthly instalments. The first instalment shall be paid on or before 28.02.2023 and the subsequent five 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



W.P(MD)No.1081 of 2023

any one of the instalments, the third respondent Bank may proceed further in accordance with law. It is open to the petitioner to approach the third respondent Bank under One Time Settlement scheme.

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.]
23.01.2023



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

ps

ORDER MADE IN
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DATED : 23.01.2023