



W.P.(MD) No.1753 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1753 of 2023
and W.M.P.(MD)No.1564 of 2023

Sathya Jaya Singh

... Petitioner

Vs.

The Chief Manager,
State Bank of India,
Nagercoil Branch,
No.13B, Distillery Road,
Nagercoil,
Kanyakumari District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned possession notice (Rule-8(1)) dated 28.12.2022 issued by the respondent and quash the same as illegal.

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For Petitioner : Mr.K.Gokul
For Respondent : Mr.G.Radhakrishnan,
Standing Counsel

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Challenging the impugned possession notice dated 28.12.2022 issued by the respondent, the petitioner has filed this Writ Petition.

2. Heard Mr.K.Gokul learned counsel for the petitioner and Mr.G.Radhakrishnan, learned Standing Counsel, who takes notice for the respondent.

3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner undertakes to pay a sum



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of Rs.1,00,000/- on or before 28.02.2022 and after deducting the said amount, pay the remaining amount in six [6] consecutive equal monthly installments, commencing from 2023 and hence, prays for appropriate orders.

5. The learned Standing Counsel appearing for the respondent bank has agreed for the aforesaid undertaking given by the petitioner.

6. In view of the aforesaid submission, we direct the petitioner to pay a sum of Rs.1,00,000/- on or before 28.02.2023 and after deducting the said amount, pay the remaining amount in six [6] consecutive equal monthly installments, commencing from March 2023. The monthly installments shall be paid on or before the 10th day of every English Calendar month. Till such time, the respondent - Bank shall not take any coercive action against the petitioner. If the petitioner fails to make payment in any one of the above installments, the respondent - Bank is at liberty to proceed further in accordance with law.



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WEB COPY 7. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

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

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NCC : Yes / No

Index : Yes / No

vsm



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