



W.P.(MD) No.1722 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1722 of 2023

and

W.M.P.(MD)No.1544 of 2023

Mariammal

... Petitioner

-Vs-

The Authorized Officer,
Canara Bank, Kulathur Branch,
No.17, Karur Main Road, Kulathur,
Dindigul-624005.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the auction sale notice dated 23.12.2022 issued by the respondent Bank and auction sale which will be held on 31.01.2023 and all other consequential proceedings are illegal and quash the same.

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For Petitioner : Mr.A.Prabhu Raj
For Respondent : Mr.P.Pethu Rajesh,
Standing Counsel

ORDER

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

The auction sale notice dated 23.12.2022 issued by the respondent Bank, fixing the date of auction on 31.01.2023, is under challenge in this Writ Petition.

2.Today, when the matter is taken up for hearing, the learned Standing Counsel for the respondent Bank submitted that the conditional interim order dated 30.01.2023 passed by this Court has been complied with by the petitioner and total outstanding amount as on date comes at Rs.2,21,000/- (Rupees Two Lakhs and Twenty One Thousand Only).

3.The learned counsel for the petitioner undertakes before this Court the entire outstanding amount as on date will be paid by the petitioner in four

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consecutive equal monthly installments and to that extent, the petitioner will give an undertaking letter to the respondent Bank, for which, the learned Standing Counsel for the respondent Bank is also agreeable.

4.In the light of the aforesaid submission, this Writ Petition stands disposed of, directing the petitioner to pay the total outstanding amount as on date in four consecutive equal monthly instalments. The first instalment shall be paid on or before 01.03.2023 and the remaining three instalments shall be paid on or before the 01st day of every English Calendar month. We make it clear that if the petitioner fails to pay any of the above instalments, it is open to the respondent Bank to proceed in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
01.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MYR

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