



W.P.(MD) No.2937 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2937 of 2023

and

W.M.P.(MD)Nos.2722 and 2723 of 2023

M.Devi

... Petitioner

-Vs-

1.The Authorized Officer / Legal Manager,

M/s.Equitas Small Finance Bank Ltd.,

4th Floor, Phase II, Spencer Plaza, Phase No.769,

Annasalai, Chennai-600 002.

2.The Branch Manager,

M/s.Equitas Small Finance Bank Ltd.,

Simmakkal Branch, 153/G/H/I, People's Tower,

North Veli Street, Simmakkal, Madurai-625001.

... Respondents

Page 1 of 5



W.P.(MD) No.2937 of 2023

WEB COURT

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order in Cr.M.P.No.1596 of 2022, dated 26.10.2022 passed by the learned Chief Judicial Magistrate, Madurai and quash the same as illegal.

For Petitioner : Mr.V.B.Sundhareshwar

For Respondents : Mr.P.Baskar

ORDER

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

Challenging the order of the learned Chief Judicial Magistrate, Madurai dated 26.10.2022 made in Cr.M.P.No.1596 of 2022, this Writ Petition is filed.

2.Mr.P.Baskar, learned counsel takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.(MD) No.2937 of 2023

WEB COPY

3.After making elaborate submission, the learned counsel appearing for the petitioner submitted that the petitioner is ready to pay a sum of Rs.1,75,000/- (Rupees One Lakh and Seventy Five Thousand Only) [i.e., 20% of the outstanding amount of Rs.8,25,000/- (Rupees Eight Lakhs and Twenty Five Thousand Only)] to the respondent Bank within a period of one month and the balance outstanding amount will be paid within a period of eight months thereafter, for which, the learned counsel for the respondent Bank has strongly made objection and submitted that the balance amount will be paid in consecutive equal monthly instalments within a reasonable time.

4.In the light of the aforesaid submission, we are inclined to pass the following order:-

“(i) The petitioner is directed to pay a sum of Rs.1,75,000/- to the respondent Bank on or before 07.03.2023;

(ii) The remaining outstanding amount as on date will be paid by the petitioner in six consecutive equal monthly instalments to the respondent Bank;

Page 3 of 5



WEB COPY

W.P.(MD) No.2937 of 2023

(iii) *The 1st instalment shall be paid on or before 07.04.2023; the remaining five instalments shall be paid on or before the 07th day of every succeeding English Calender month ; and*

(iv) If the petitioner fails to pay any of the above instalments, it is open to the respondent Bank to proceed further in accordance with law.”

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] & [L.V.G., J.]

14.02.2023

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

MYR



WEB COPY



W.P.(MD) No.2937 of 2023

D.KRISHNAKUMAR, J.
AND
L.VICTORIA GOWRI, J.

MYR

W.P.(MD)No.2937 of 2023

14.02.2023

Page 5 of 5