



WEB COPY

W.P.(MD)No.4757 of 2023



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 03.03.2023**

**CORAM:**

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE  
and  
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

**W.P.(MD)No.4757 of 2023  
and  
W.M.P.(MD)Nos.4420 and 4421 of 2023**

R.Venkatasamy

... Petitioner

-VS-

1.The Authorised Officer/  
Central Bank of India,  
54, Beach Road,  
Thoothukudi – 628001.

2.The Manager,  
Central Bank of India,  
Tuticorin Branch,  
54, Beach Road,  
Thoothukudi – 628001.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records pertaining to the impugned Possession Notice, dated 08.02.2023, on the file of the first respondent and quash the same.

For Petitioner

: Mr.K.Jeyamohan

For Respondents

: Mr.N.Dilipkumar  
Standing Counsel



**ORDER**

**[Order of the Court was made by  
The Hon'ble The ACTING CHIEF JUSTICE]**

Challenging the possession notice dated 08.02.2023 issued by the 1<sup>st</sup> respondent, this writ petition is filed.

2. Since the post of Presiding Officer, Debts Recovery Tribunal, Madurai, is lying vacant and the Presiding Officer, Debts Recovery Tribunal, Coimbatore, is given in-charge and he is taking up cases pertaining to DRT, Madurai, on every Fridays only, we entertain this writ petition.

3. Mr.N.Dilip Kumar, learned standing counsel takes notice for the respondents 1 and 2.

4. Now, learned counsel appearing for the petitioner submits that the petitioner is prepared to pay 25% of the outstanding amount as on date to the respondent Bank within a period of two months and the remaining outstanding amount at Rs.10,00,000/- per month. He further submitted that in the meantime, the petitioner may be permitted to submit a representation seeking either for one time settlement or for restructuring his loan account and the same may be directed to be considered by the respondent Bank.



5. Learned standing counsel appearing for the respondents has objected to the aforesaid submission and submitted that the petitioner has to pay 25% of the outstanding amount within a period of two weeks and for the payment of balance outstanding amount, the petitioner has to approach the respondent Bank. He further submitted that only after the payment of 25% outstanding amount, the petitioner has to make the aforesaid representation. He also submitted that if the petitioner fails to make the above payment, liberty may be given to the respondent Bank to proceed further in accordance with law.

6. Recording the above submissions, we direct the petitioner to pay 25% of the outstanding amount within a period of three weeks from the date of receipt of a copy of this order. After making the above payment, the petitioner is directed to submit a representation seeking either for one time settlement or for restructuring his loan account to the respondent Bank within one week thereafter and the same is directed to be considered by the respondent Bank within two weeks thereafter. Till such time, the impugned order shall be kept in abeyance.



W.P.(MD)No.4757 of 2021



7. With the above direction, the Writ Petition is disposed of.

No costs. Connected miscellaneous petitions are closed.

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**[T.R., A.C.J.] [D.K.K., J.]**  
**03.03.2023**

NCC : Yes / No  
Index : Yes / No  
Internet: Yes / No  
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W.P.(MD)No.4757 of 2023:

**T.RAJA, A.C.J.**  
**and**  
**D.KRISHNAKUMAR, J.**

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**ORDER MADE IN**  
**W.P.(MD)No.4757 of 2023**  
**DATED : 03.03.2023**