



W.P(MD)No.4895 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.4895 of 2023
and
WMP(MD)No.4586 of 2023**

M/s.Kanthan Bio Tech,
rep. by its Proprietor,
M.Muniyasamy

... Petitioner

vs.

1. The Authorized Officer,
Tamil Nadu Mercantile Bank Ltd.,
Regional Office, Madurai,
(For Paramakudi Branch)
30, Besant Road, Chinna Chokkikulam,
Madurai-625 002.

2. The Branch Manager,
Tamil Nadu Mercantile Bank Ltd.,
Paramakudi Branch,
No.8/110 A-1 (Old)
Bhavathsingh Road,
Paramakudi-623707,
Ramnad District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned sale notice passed by the 1st



W.P(MD)No.4895 of 2023

respondent in his proceedings in CIN No.L65110TN1921PLC001908 dated 23.02.2023 and quash the same as illegal.

For Petitioner : Mr.D.Senthil
For Respondents : Mr.N.Dilip Kumar, Standing Counsel

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

Mr.N.Dilip Kumar, learned standing counsel takes notice for the respondents.

2. Challenging the sale notice dated 23.02.2023 issued by the responden Bank, fixing the sale on 17.03.2023, the petitioner has filed this writ petition.

3. Considering the fact that the property sought to be sold is the residential house of the petitioner, the Writ Petition is disposed of with the following directions:-

The respondent Bank can proceed with the sale but shall not confirm the same. The petitioner shall pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the respondent Bank on or before 30.03.2023. The balance outstanding amount shall be paid in two monthly instalments, of which, the first instalment shall be paid on or



W.P(MD)No.4895 of 2023

before 30.04.2023 and the second instalment shall be paid on or before 30.05.2023. If the petitioner fails to comply with the aforesaid order, the respondent Bank can proceed further for confirming the sale. No costs. Connected miscellaneous petition is closed.

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

[R.S.M.,J.] & [L.V.G.,J.]
16.03.2023



WEB COPY



W.P(MD)No.4895 of 2023

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

bala

ORDER MADE IN
W.P(MD)No.4895 of 2023
DATED : 16.03.2023