



W.P.(MD) No.5080 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2023

CORAM:

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

**W.P.(MD) No.5080 of 2023
and
W.M.P.(MD) No.4775 of 2023**

K.P.A.Ravichandran

... Petitioner

-vs-

1.The Authorized Officer / Chief Manager
Indian Bank
Zonal Office
Madurai-625 001

2.The Branch Manager
Indian Bank
K.K.Nagar (MDU) Branch
Madurai

... Respondents

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 notice of intended sale dated 09.02.2023 vide E-Auction mode issued by the first respondent and quash the same as illegal.

For Petitioner : Mr.A.Arul Jennifer

For Respondents : Mr.R.Pandivel, Standing Counsel



W.P.(MD) No.5080 of 2023

ORDER

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[Order of the Court was made by R.SUBRAMANIAN, J.]

Admit.

2. Mr.R.Pandivel, learned Standing Counsel, takes notice for the respondent – Bank.

3. Challenge in this writ petition is to the sale notice dated 09.02.2023, issued by the respondent – Bank, seeking to sell the immovable property belonging to the petitioner on 15.03.2023. The amount due as of today is around Rs.56 Lakhs.

4. Learned counsel for the petitioner would submit that if the petitioner is given sometime, he would liquidate the entire loan.

5. Learned Standing Counsel for the respondent – Bank would submit that the Bank has waited enough and if at all there should be any indulgence to be shown to the petitioner, it should be only conditional.

6. Considering the overall circumstances, the writ petition is disposed of with the following directions:



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W.P.(MD) No.5080 of 2023

- (i) The petitioner shall pay a sum of Rs.5,00,000/- (Rupees five lakhs only) on or before 14.03.2023.
- (ii) The petitioner shall pay further a sum of Rs.5,00,000/- (Rupees five lakhs only) on or before 30.03.2023.
- (iii) The petitioner will pay the balance amount in five equated monthly installments commencing from April, 2023. The monthly instalments shall be paid on or before 20th of every succeeding month.
- (iv) The interest payable for the interregnum period shall be paid along with the last installment.
- (v) The respondent – Bank can proceed with the sale, if there is a default in payment of two consecutive monthly installments.

No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

09.03.2023

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

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W.P.(MD) No.5080 of 2023

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