



W.P.(MD)No.5936 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.5936 of 2023

G.Gayathiri

: Petitioner

Vs.

1.The Chief Judicial Magistrate,
District Court Campus,
Trichy – 620 001.

2.The Authorized Officer,
Punjab National Bank,
No.7, Royal Road,
Trichy – 620 001.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari to call for the records relating to the impugned order dated 01.12.2022 in Cr.M.P.No.28848 of 2022 on the file of the 1st respondent/Chief Judicial Magistrate, Trichy and quash the same.



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For Petitioner : Mr.B.Janarthkumar

For Respondents : Mr.S.Balasubramanian
Standing Counsel

ORDER

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

The order of the Chief Judicial Magistrate, Tiruchirappalli passed under Section 14 of the SARFAESI Act is under challenge.

2.The respondent bank being unable to realize the loan by sale of the property aggrieved for One Time Settlement with the petitioner. As per the same, the petitioner was required to pay a sum of Rs.45,00,000/-, on which, Rs.10,00,000/- was paid on 26.12.2022 and the balance amount shall be paid on or before 15.02.2023. Since the petitioner did not comply with the said offer, the respondent bank had taken further proceedings.



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WEB COPY 3.The learned counsel for the petitioner would submit that the petitioner needs some more time to pay.

4.It is for the bank to consider the request of the petitioner for extension of time. In the interregnum, the petitioner shall pay a sum of Rs. 10,00,000/- by 21.03.2023. On which payment, the respondent bank will defer further taking possession and reconsider the request of the petitioner for grant of extension of time made by the petitioner. If the bank decides to accept the offer of the petitioner to pay the balance amount, it shall be informed to the petitioner accordingly.

4.With the above directions, this Writ Petition is disposed of. No costs.

[R.S.M., J.] & [L.V.G., J.]
17.03.2023

NCC : No
Index : No
Internet : Yes
skn

Note: Issue order copy on 20.03.2023.



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R.SUBRAMANIAN., J

AND

L.VICTORIA GOWRI.,J

skn

To

The Chief Judicial Magistrate,
District Court Campus,
Trichy – 620 001.

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