



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Twenty Eighth day of April Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

AND

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

WMP(MD) .No.7956 of 2023

in

WP (MD) .No.27330 of 2022

Rangaraj K
S/o. Kothandapandi,
No.273, B/2, Kaja Nagar,
1st Street, Ramagoundanur,
Karur 639 004.

... Petitioner/ Petitioner

Vs

The Authorized Officer,
REPCO Home Finance Ltd.,
Promoted REPCO Bank- Govt of India Enterprise,
CIN NO. L65922TN2000PLCO44655.
Chennai.

... Respondent/ Respondent

Prayer in WMP(MD) .No.7956 of 2023 :

This Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, praying this Court to extend the time in WP(MD)No.27330 of 2022 dated.02.12.2022 to pay a sum of Rs.10,00,000/- (Rupees ten lash) to the respondent and other remaining out standing amount in six consecutive equal monthly installment.

Prayer in WP(MD) .27330 of 2022:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to calling for the records relating to the impugned copy of the e-auction sale notice dated.09.09.2022 for sale of immovable properties at Karur RD, Joint-1, S.R.D. Karur Taluk, Sanapiratti Village (Raja Nagar South) S.F.NO.1520 acre 4.86 S.F.No.1521 acre 3.76 Total acre 8.62 in this acre 1.88 as per sub division S.F.No.1520/1, S.F.No.1521/1 in this Acre 1.60 has been divided into house sites in this eastern 1100 sq.ft of land in house site No representation for the respondent. 10 and quash the same as unconstitutional.



ORDER:

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

This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.Sivaram, Advocate for the Petitioner and of Mr.B.Rajesh Saravanan, Advocate for the respondent, this Court made the following order:

The petitioner seeks extension of time to comply with the conditional order dated 02.12.2022.

2. It is seen that the order dated 02.12.2022 was passed based on the representation made by the petitioner.

3. Mr.B.Rajesh Saravanan, learned counsel appearing for the Bank would submit that the petitioner has not paid even a single pie and has resisted the attempt of the Bank to take possession of the property.

4. We are not endorsing the conduct of the petitioner. At the same time, we would give a chance to the petitioner to save his property. As per the original schedule, the petitioner should have paid at least Rs.25 Lakhs by now. The total amount outstanding is about Rs.35 Lakhs and odd. The petitioner shall pay Rs.10,00,000/- (Rupees Ten Lakhs only) by 02.05.2023 which shall be adjusted towards the instalments for the months of April and May 2023. The instalment payable for the month of June 2023, shall be paid by 15th of June 2023. In default of any one of the payments as aforesaid, the Bank will proceed further.

5. This petition is ordered accordingly.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/05/2023

Sub Assistant Registrar(CS)

To
The Authorized Officer,
REPCO Home Finance Ltd.,
Promoted REPCO Bank- Govt of India Enterprise,
CIN NO. L65922TN2000PLCO44655.
Chennai.

+1 CC to M/s.B.Rajesh Saravanan, Advocate (SR-25003[F] dated 02/05/2023)



WEB COPY

WMP(MD).



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ORDER DATED : 28/04/2023

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ORDER

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WMP (MD) .No.7956 of 2023

in

WP (MD) .No.27330 of 2022

TM

SI/(18.05.2023) 3P/ 3C