



WP (MD) No. 6360 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2023

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CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

**WP(MD)No.6360 of 2023**

**and**

**WMP(MD)No.6017 of 2023**

B.Shankar

: Petitioner

Vs.

1.The Authorised Officer,  
Punjab National Bank,  
Sastra Centre,  
Circle Office Trichy,  
PNB House,  
Kailasapuram, Trichy – 620 014.

2.The Branch Manager,  
Punjab National Bank,  
Bikshandarkoil Branch,  
No.1 Toll Gate, Trichy.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of certiorari to call for the records on the file of the 1<sup>st</sup> respondent in the impugned sale notice dated 22.02.2023 and quash the same.



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For Petitioner : Mr.P.Murugesan  
For Respondents : Mr.R.Pandivel

### **ORDER**

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

Challenge is to the sale notice issued by the bank. Amount due as on date is Rs.50,24,411/-.

2.The learned Counsel for the petitioner would plead that the petitioner should be given at least 10 months time to liquidate the loan. The learned Counsel for the bank would submit that the petitioner had already challenged the earlier possession notice and though DRT granted stay on condition, the petitioner did not choose to comply with the condition.

3.Be that as it may, considering the over all circumstances this writ petition is disposed of with the following directions:

a.The bank shall proceed with the sale, but it shall not confirm the sale if the petitioner pays a sum of Rs.10,24,411/-



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[Rupees Ten Lakh Twenty Four Thousand Four Hundred and Eleven] on or before 20.04.2023.

b.The petitioner shall also pay the remaining amount in four equal monthly installments at Rs.10,00,000/- each [Rupees Ten Lakhs].

c.The interest that accrues during the interregnum period and the sale expenses shall also be paid by the petitioner with the last installment. If the petitioner commits any default in payment as aforesaid, the bank is at liberty to proceed in accordance with law. No costs. Consequently connected miscellaneous petition is closed.

**[RSM.,J.] [B.P.,J.]**  
**23.03.2023**

Index : Yes / No  
Internet : Yes

dsk



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**R.SUBRAMANIAN,J**

**AND**

**B.PUGALENDHI, J.**

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**W.P.(MD)No.6360 of 2023**

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