



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

**Friday, the Twenty First 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.6931 of 2023

in

WP(MD) 22975 of 2022

1.Veeraputhiran

2. S.Karuppaiah

... Petitioner/ Petitioners

Vs

1 The Authorized Officer
Indian Overseas Bank
Regional Office Anna Nagar
Madurai - 625 020.

2 The Branch Manager
Indian Overseas Bank
Bullion Bazaar Branch
South Avanimoola Street
Bullion Bazaar
Madurai - 625 001.

... Respondents/Respondents

Prayer in WMP(MD) . No.6931 of 2023

Writ MiscellaneousPetition is filed under Article 226 of the Constitution of India, To extend the time for payment of last installment in pursuant to order passed by 30.09.2022 and thus render justice.

Prayer in WP(MD) . 22975/ 2022 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records, relating to the impugned possession notice of the 1st respondent dated 07.07.2022 in RO/SAMD/SAF/PN/04/2022-23 issued u/s. 13(12) of SARFAESI Act r/w Rule 3 of Security Interest (Enforcement) Rules 2002, quash the same as the same is arbitrary, illegal and ultravires, violation of the provisions of SARFAESI Act and to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.S.Senthil Kumar, Advocate for the Petitioner and of Mr.R.Pandivel, Advocate for the Respondents, this Court made the following order:

"Heard Mr.M.S.Senthil Kumar, learned counsel for the petitioners and Mr.R.Pandivel, learned standing counsel appearing for the respondent bank.

2.Accepting the reasons assigned in the affidavit filed in support of the application and the fact that the debtors have discharged almost the entire debt leaving a very minor portion of Rs.3,00,000/-, this petition is allowed. Time granted by this Court is extended by two weeks from today, to pay the balance amount with interest and cost.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/05/2023

Sub Assistant Registrar(CS)

PM

TO

1. The Authorized Officer
Indian Overseas Bank Regional Office Anna
Nagar Madurai - 625 020.
2. The Branch Manager
Indian Overseas Bank Bullion Bazaar Branch
South Avanimoola Street Bullion Bazaar
Madurai - 625 001.

ORDER DATED : 21/04/2023

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ORDER

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WMP(MD) . No.6931 of 2023

in

WP (MD) No.22975 of 2022

SI/(28.04.2023) 2P/ 3C