



W.P.(MD) No.12465 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2023

CORAM:

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**W.P.(MD) No.12465 of 2022
and WMP(MD) No.8841 of 2022**

J.Rajalakshmi

... Petitioner

-VS-

The Authorised Officer,
IDBI Bank Limited
Salai Road Branch
No.57A Ground Floor
Rohini City Square, Salai Road
Trichy 620 018

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari to call for the entire records pertaining to the order dated 25.04.2022 passed in Cr.M.P.No.304 of 2022 issued under Section 14(1) & 14(2) of SARFAESI Act by the respondent bank, quash the same as illegal.



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For Petitioner : Mr.T.Leninkumar
For Respondents :Mr.Vijayaraghavan

ORDER

**[Order of the Court was made by
The Hon'ble The CHIEF JUSTICE]**

We have heard Mr.T.Leninkumar, learned counsel for the petitioner, and Mr.Vijayaraghavan, learned Additional Government Pleader for the respondent.

2. The petitioner is challenging the order passed under Section 14 of the SARFAESI Act.

3. This Court under order dated 20.06.2022 had directed the petitioner to deposit Rs.4,00,000/- within a period of four weeks and further sum of Rs.4,00,000/- on or before 22.08.2022 with the bank.

4. The petitioner did not deposit the second instalment within the time, however, submits that the application for extension was filed and the Court allowed the petition and directed the petitioner to deposit in February 2023.



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5. The petitioner has deposited in all Rs.8,00,000/- after filing of the petition. It appears that because the matter was not listed, the petitioner is enjoying the interim order with the said amount only. The learned Advocate for the bank submits that an amount of more than Rs.41 lakhs is outstanding against the petitioner.

6. Considering the submission of the learned counsel for the petitioner and the bank, we pass the following order:

(i) The petitioner shall deposit an amount of Rs.5,00,000/- (Rupees five lakhs only) on or before 25.09.2023 and shall deposit Rs.6,00,000/- per month (Rupees six lakhs only) further from the month of October 2023. The amount shall be deposited before 25th of each month till the entire amount is repaid; and

(ii) In case, the petitioner commits any single default in repayment of the amount as directed above, the respondent bank would be entitled to proceed and take further action under the SARFAESI Act.



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WEB COPY 7. The writ petition is disposed of accordingly. However, there shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

[S.V.G., CJ.]

[C.K., J.]

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NCC : Yes / No
Index : Yes / No
RR



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and
C.KUMARAPPAN, J.

RR

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