



W.P(MD)No.12196 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.12196 of 2023
and
W.M.P(MD)No.10426 of 2023

Thiruppathi

... Petitioner

Vs.

1.The Authorized Officer,
Equitas Small Finance Bank Ltd.,
4th Floor, Phase II, Spencer Plaza No.769,
Mount Road, Anna Salai,
Chennai – 600 002.

2.M/s.Equitas Small Finance Bank Limited,
Rep. by authorized Signatory,
4th Floor, Phase II , Spencer Plaza No.769,
Mount Road, Annasalai,
Chennai – 600 002.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the entire relevant records relating to the impugned possession notice issued by the first respondent on 21.04.2023 and set aside the same as illegal with arbitrary manner and consequently direct the respondents to obtain pending entire loan amount with interest from the petitioner of Rs.2,93,098/- by way of



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installments in L.No.SETNJAVO237656, in the respondents office based on the petitioner's representation on 04.05.2023 and consequently representation on 16.05.2023 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.R.M.Ajay Parthiban,
Standing Counsel

ORDER

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

We have heard Mr.R.Senthilkumar, learned counsel for the petitioner and Mr.R.M.Ajay Parthiban, learned Standing Counsel for the respondents.

2. The learned counsel for the petitioner submits that the petitioner is ready to pay the entire outstanding amount. However, some time is sought for.

3. The petitioner is challenging the notice issued under Section 13 of the SARFAESI Act, 2002. The amount is also smaller amount. The outstanding amount as per the bank is Rs.3,33,000/-. The petitioner is ready to deposit a part of the amount. The petitioner undertakes to deposit a sum



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of Rs.1,00,000/- within one week from today and submits that he would clear the entire outstanding within three months. If the petitioner approaches the bank, it is for the bank to consider the request of the petitioner as the amount is a smaller amount, of course, if the petitioner deposits the amount of Rs.1,00,000/- within one week from today.

With the above observations, the writ petition is disposed of.
No Costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(C.K., J.)

29.08.2023

NCC : Yes/No
Index : Yes/No
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THE HON'BLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

PM

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