



W.P.(MD) No.14575 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2023

CORAM:

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

and

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

**W.P.(MD) No.14575 of 2023
and WMP(MD) Nos.12337 and 12338 of 2023**

C.Kalyanaraman

... Petitioner

-VS-

The Authorized Officer,
REPCO Home Finance Limited
Promoted by REPCO Bank
Government of India Enterprise
No.26 Ground floor, ARR Complex,
Kenikarai
Ramanathapuram District

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Cr.M.P.No.6495 of 2022 dated 05.05.2023 on the file of the learned Chief Judicial Magistrate, Ramanathapuram and quash the same as illegal, improper, unlawful, unconstitutional and arbitrary and consequently direct



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the respondent not to initiate any further pursuant to the impugned order.

For Petitioner : Mr.S.Murugan

For Respondents : Mr.R.Sivakumar

ORDER

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

We have heard Mr.S.Murugan, learned counsel for the petitioner and Mr.R.Sivakumar, learned counsel for the respondent Bank.

2. Under order dated 21.06.2023, the petitioner was directed to deposit Rs. 5,00,000/- on or before 30.07.2023, failing which, the interim relief was deemed to be vacated automatically. The petitioner did not deposit the amount within the time stipulated, however, deposited on 10.08.2023. It is submitted that more than Rs.19 lakhs is outstanding against the petitioner.

3. The petitioner shall deposit further Rs.5,00,000/- (Rupees five lakhs only) within two weeks from today and give proposal to the bank for deposit of



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the further amount. If the amount of Rs.5 lakhs is deposited within two weeks from today and the application is filed by the petitioner within a period of six weeks laying down the stipulations as to how the amount would be paid, then the bank may consider and decide the same on its own merits. In case, the petitioner fails to deposit the amount of Rs.5 lakhs within two weeks from today, then the respondent Bank can proceed further.

4. The writ petition stands disposed of. However, there is no order as to costs. consequently connected Miscellaneous Petitions are 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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