



W.P.(MD)No.16765 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.16765 of 2022
and W.M.P.(MD)No.12152 of 2022

R.K.Rengasamy

... Petitioner

Vs.

The Chief Manager,
State Bank of India,
Retail Asset Credit Centre,
RACC Theni,
Bodinayakanur Branch,
No.32/73, Peria Andavar Street,
Bodinayakanur,
Theni – 625 513.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned e-auction sale notice issued by the respondent dated 22.06.2022 and quash the same as illegal.

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For Petitioner : Mr.S.Karthick Ramkumar

For Respondent : Mr.S.Sukumar

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

In view of the fact that the Debts Recovery Tribunal, Madurai is functioning once in a week, we are inclined to entertain this Writ Petition.

2. Challenging the impugned e-auction sale notice issued by the respondent dated 22.06.2022, the petitioner has filed this Writ Petition.

3. The learned counsel appearing for the petitioner submitted that as per the conditional order passed by this Court, the petitioner has paid a sum of Rs.5,50,000/- to the respondent bank and the remaining outstanding amount is at Rs.16,00,628/-. He further submitted that the petitioner undertakes to pay the remaining outstanding amount in six installments. He has filed an undertaking



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affidavit to that effect. He further submitted that the petitioner may be permitted to approach the respondent – Bank either seeking for One Time Settlement or seeking six months time for making payment of the entire outstanding amount.

4. The learned counsel appearing for the respondent – Bank submitted that if the petitioner approaches the bank by making such an application, the same will be considered, within a reasonable time.

5. In view of the above submissions, liberty is granted to the petitioner to file an application before the respondent – Bank either seeking for One Time Settlement or seeking six months time for making payment of the remaining outstanding amount, within a period of two [2] weeks from the date of receipt of a copy of this order and if such application is filed, the same shall be considered by the respondent - Bank within a period of four [4] weeks after receipt of such application.



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WEB COPY 6. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] [L.V.G., J.]
14.02.2023

NCC : Yes / No
Index : Yes / No
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and
L.VICTORIA GOWRI, J.

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