



WMP(MD). No.13358 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction
Wednesday, the Fifth day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice S.VAIDYANATHAN
AND
The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

WMP(MD). No.13358 of 2023
IN
WP(MD). No.10580 of 2023

Subbaraj V

... Petitioner/Petitioner

Vs

1 The Chief Manager
State Bank of India,
Siruthozhil Branch 185,
Madurai Road , Aruppukottai - 626 101

2 The Authorized Officer
State Bank of India,
SARB,No 8
Dr.Ambedkar Road,
Madurai-625 020

... Respondents/Respondents

Prayer :-

This Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to extend the time to comply the condition imposed upon the petitioner in W.P.(MD).No.10580/2023 dated 28.04.2023 that the condition of 1st installment payment of Rs.69,65,970/- to be paid together with the 2nd installment.



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Prayer in WP(MD). 10580/ 2023 :

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Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, call for the records on the file of the 2nd respondent Sale Notice dt.15.04.2023, quash the same.

ORDER:-

This Writ Miscellaneous 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 Ms. R. Sriram, Advocate for the Petitioner and of Ms. V.S. Karthi, Advocate for the respondents, this Court made the following order:

[Order of the Court was made by S.VAIDYANATHAN, J.]

This miscellaneous petition has been filed seeking extension of time to comply with the conditions imposed by this Court *vide* order dated 28.04.2023 in W.P.(MD) No.10580 of 2023.

2. Today, when the matter was taken up for hearing, learned counsel for the petitioner submitted that the petitioner has handed over a demand draft for a sum of Rs.1,69,65,970/- (Rupees one crore sixty nine lakhs sixty five thousand nine hundred and seventy only) to the respondent – Bank.



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3. Learned counsel for the respondent – Bank would submit that the demand made by the respondent – Bank was on the date of the sale notice and the interest accrued subsequently need to be paid. He would further submit that the respondent – Bank will calculate the interest amount accrued subsequently and inform the same to the petitioner.

4. In view of the above submission, the respondent – Bank shall calculate the interest amount accrued subsequently, within a period of three working days from the date of receipt of a copy of this order and the petitioner shall pay the same, within a week thereafter.

5. To be noted, the petitioner has a right of redemption till the registration of the sale certificate. Since that stage has not arisen in this case and before registration of the sale certificate, the petitioner is tendering the due amount, the respondent – Bank is duty bound to accept the demand draft and close the petitioner's loan account.



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6. This civil miscellaneous petition is ordered accordingly.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

TO

1. The Chief Manager
State Bank of India ,
Siruthozhil Branch 185
Madurai Road , Aruppukottai - 626 101
2. The Authorized Officer
State Bank of India ,SARB -8
Dr.Ambedkar Road Madurai-625 020

ORDER DATED : 05/07/2023

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ORDER

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IN

WP(MD). No.10580 of 2023

Giving direction and etc.
as stated within.

MK/21.07.2023 4P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023