



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Fifth day of July Two Thousand and Twenty Three

PRESENT

WEB COPY

The Hon`ble Mr.Justice S.VAIDYANATHAN

AND

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

WMP(MD) No.13630 of 2023

IN

WP(MD) No.14768 of 2023

1 JESUS POWER REVIVAL AGRO SUGAR,
A PARTNERSHIP FIRM

2 NAVANEETHA KRISHNAN.N
PROPRIETOR

3 MARIYA SELVI (PARTNER)

4 CHANDRASEKARAN. N (PARTNER)

... PETITIONERS/PETITIONERS

Vs

THE AUTHORIZED OFFICER
CANARA BANK, PERIYAKULAM BRANCH,
THENI DISTRICT.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to extend the time granted in WP (MD) No. 14768 of 2023, by two more months from 6.7.2023 for payment of balance amount of Rs. 10,70,379/-

Prayer in WP(MD). 14768/ 2023 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned E-Action sale Notice in Ref. 285/10268/755/25/170001458203 dated 05.06.2023 issued by the respondent, quash the same and consequently direct the respondent herein to make viability study and offer rehabilitation package to the petitioner a registrant under the Ministry of Micro, Small and Medium Industry.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.APPADURAI, Advocate for the petitioner and of Mr.V.PANDIVEL, Advocate on behalf of the Respondent, the 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 granted by this Court in W.P.(MD) No.14768 of 2023 vide order dated 21.06.2023.

2. According to the petitioners, they were able to mobilize only a sum of Rs.15,00,000/- and paid the same to the respondent on 01.07.2023 and due to some health ailments, they are unable to arrange the remaining amount of Rs.10,70,379/-.

3. On 21.06.2023, this Court has passed an order that the first instalment will have to be paid by the petitioners to the respondent - Bank on or before 06.07.2023 and the remaining amount in six equated monthly instalments and in case any default in any one of the instalments, the respondent - Bank can proceed with the sale and take possession of the secured asset.

4. Since the auction is scheduled to be held on 07.07.2023, we permit the respondent - Bank to proceed with the auction of the secured asset, but shall not confirm the same. Further, the petitioner is granted time till 06.08.2023 to pay the first instalment, excluding the amount already paid, to the respondent - Bank. We make it clear that the other conditions stipulated in the order dated 21.06.2023 stand unaltered.

5. This civil miscellaneous petition is ordered accordingly.

sd/-

05/07/2023

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KRK

TO

THE AUTHORIZED OFFICER
CANARA BANK, PERIYAKULAM BRANCH, THENI DISTRICT.

+1. C.C. to K.APPADURAI Advocate SR.No.32675(f)

ORDER

IN

WMP(MD) No.13630 of 2023

IN

WP(MD) No.14768 of 2023

Date :05/07/2023