



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the First day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM
AND
The Hon`ble Mr.Justice V. LAKSHMINARAYANAN

WMP(MD). No.19332 of 2023
in
W.P.(MD)No.13377 of 2023

1. Dhanaraj
2. Subadevi
3. Maxican Export,
No/8/132, Andan Kovil Road,
Amaravathy Nagar,
Karur District.

... Petitioners

Vs

The Authorized Officer,
Cholamandalam,
Investments and Finance Company Ltd.,
Erode Branch, Erode.

... Respondent

Prayer :-

Writ Miscellaneous Petition filed under Article 226 of Constitution of India to Grant Extension of Time to comply the order of this Honble Court dated 27.07.2023 made in WP(MD).No. 13377 of 2023, and pass such other or further orders as this Honble Court.

Prayer W.P.(MD)No.13377 of 2023:-

Writ Petition filed under Article 226 of the Constitution of India, for issuance

of a Writ of Certiorarified Mandamus to call for the records relating to the

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impugned order passed by the Chief Judicial Magistrate, Karur in Crl.M.P.No.3622 of 2023, dated 17.05.2023 and quash the same as illegal and consequently direct the respondent bank not to attach the petitioner's dwelling house and also allow them to continue to pay the forthcoming EMIs to the loan account numbers XOHEKRU00003296743 and HEO2KRU000000001906.

ORDER:- This 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 Mr. R. Ramaguru, Advocate for the Petitioners and of Mr. P. Pethu Rajesh Standing Counsel, for the respondent, this Court made the following order:

(Order of the Court was made by **V. LAKSHMINARAYANAN, J.**)

By order dated 08.06.2023, the writ petitioners were permitted to regularize their accounts on payment of Rs.40,00,000/-. This order was passed with the consent of the respondent bank and the Writ Petition was disposed of. Subsequently, an application was filed for extension of time and it was granted directing the petitioners to pay Rs.20,00,000/- within two weeks. That leaves out a further sum of Rs.20,00,000/- to be paid in order to regularize the account.



2. The balance of Rs.20,00,000/- as directed by this Court on 08.06.2023 shall be paid within a period of three weeks from today. In case the amount is not paid, it is open to the bank to proceed to invoke SARFAESI and proceed in accordance with law. No further application for extension will be entertained.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)

TO

The Chief Judicial Magistrate,
Karur.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 01/11/2023

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ORDER

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WMP(MD). No.19332 of 2023

in

W.P.(MD)No.13377 of 2023

Giving direction and etc.
as stated within.

MK/08.11.2023 4P 3C

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