



W.P.(MD)No.24440 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.24440 of 2022

and

W.M.P.(MD)No.18532 of 2022

Ilamurugan

... Petitioner

Vs.

The Authorized Officer,
M/s.Equitas Small Finance Bank Limited,
Spencer Plaza, 4th Floor,
Phase – II, No.769, Anna Salai,
Chennai – 2.

... 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 possession notice issued by the respondent dated 17.10.2022 and quash the same as illegal.



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For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.R.M.Ajay Parthiban

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 possession notice issued by the respondent dated 17.10.2022, the petitioner has filed this Writ Petition.

3. The petitioner is ready to pay a sum of Rs.1,60,000/- on or before 31.03.2023, for which the learned counsel for the respondent bank is agreeable, however, with liberty to the respondent - to proceed against the petitioner in case of default in payment of the aforesaid amount.



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4. In view of the aforesaid submissions, we direct the petitioner to pay a sum of Rs.1,60,000/- on or before 31.03.2023. If there is any default in payment of the said amount, the respondent is at liberty to proceed in accordance with law. If the said amount is paid within the aforesaid time, the petitioner shall approach the respondent and make a representation either for One Time Settlement or any other offer made by the respondent bank within a period of one week thereafter. After receipt of such representation, it is for the respondent bank to consider and pass orders on the same.

5. 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.]
01.03.2023

NCC : Yes / No
Index : Yes / No
vsm



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