



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction



Monday, the Sixth day of February Two Thousand and Twenty Three

PRESENT

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The Hon`ble Mr.Justice D.KRISHNAKUMAR
AND
The Hon`ble Mr.Justice R.VIJAYAKUMAR

WMP(MD). No.19696 of 2022
WP(MD).No.,6725 of 2022

1.R. Ponkumar
2.Vijila Prema ... Petitioner/Petitioner

Vs

- 1 The Chief Judicial Magistrate
Madurai CJM Court District Court Campus
Madurai.
- 2 The Authorized Officer
M/s. Housing Development Finance Corporation
Ltd Door No.406 Sakthisivam Plaza Pumping
Station Road 9th Cross St K.K.Nagar (East)
Madurai-625020 ... Respondent/Respondent

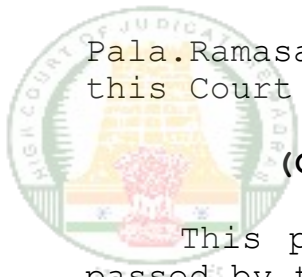
Prayer :-

Writ Miscellaneous Petition filed under Article 226 of the Constitution of India to extend the time, to settle the money to the bank by way of installments or one time settlement through private sale of the property to comply the order of this Honble Court in WP (MD).No. 6725/2022 dated 26.09.2022.

Prayer in WP(MD). 6725/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari call for the records of the proceeding of the impugned order passed by 1st respondent dated 17.03.2022 in Cr.M.P.No.149/2022 under section 14 of the SARFAESI Act in respect of Plot No.14 and 14A, Door No.54, Santhanam Nagar 3rd Street, Jeevana School Back Side, AnnaiSreeMeenakshi Nagar, Ponemeni, Madurai-625016 and quash the same as illegal and pass such other order as this Honble Court may deem fit and necessary under the circumstance of the case and thus render justice.

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 Mr. K.Muraleedharan, Advocate for the Petitioner and of Mr.



Pala.Ramasamy For R2, Government Advocate for the respondent, this Court made the following order:



(Order of the Court was made by D.KRISHNAKUMAR, J.)

This petition is filed to extend the time to comply the order passed by this Court in W.P.(MD)No.6725 of 2022, dated 26.09.2022.

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2. The learned counsel appearing for the respondent - Bank submitted that the petitioner has not complied with the order passed by this Court and therefore, this petition is liable to be dismissed.

3. Since the petitioner has not shown any *bona fide* for making the first instalment on or before 10.11.2022, as per the direction of this Court dated 26.09.2022, we are not inclined to allow this petition.

4. Accordingly, this petition is dismissed. However, it is for the petitioner to approach the DRT, if any remedy under the law.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

TO

1. The Chief Judicial Magistrate
Madurai CJM Court District Court Campus
Madurai.
2. The Authorized Officer
M/s. Housing Development Finance Corporation
Ltd Door No.406 Sakthisivam Plaza Pumping
Station Road 9th Cross St K.K.Nagar (East)
Madurai-625020
3. The Special Govt. Pleader,
Madurai Bench of Madras High Court, Madurai

Copy to:

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



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KB (23.02.2023) 3P 5C

ORDER DATED : 06/02/202



ORDER

WMP(MD) . No.19696 of 2022
Giving direction and etc.
as stated within.