



W.P(MD)No.26418 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.26418 of 2022
and
W.M.P(MD)Nos.20605 & 20607 of 2022**

P.Vimaladevi

... Petitioner

VS.

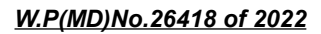
The Authorized Officer,
Mahindra Rural Housing Finance Limited (Branch Manager),
Door No.57 F/A1, 1st Floor,
Madurai Road,
Tirunelveli – 627 281.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the learned Chief Judicial Magistrate, Tirunelveli, in Cr.M.P.No.5954 of 2022, dated 25.07.2022 and quash the same.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Ms.B.Deepa
Standing Counsel



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

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the respondent Bank submitted that the said conditional interim order, dated 23.11.2022 has been complied with by the petitioner.



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4.The learned counsel appearing for the petitioner submitted that the balance outstanding amount of Rs.6,58,837/- as on today shall be paid in five consecutive equal monthly instalments and the same shall be paid on or before 20th day of every English Calendar month until the entire payment is made and to that extent, he seeks indulgence of this Court to consider the request made by the petitioner, for which, the learned counsel appearing for the respondent is agreeable, however, with liberty to the respondent Bank to proceed against the petitioner in case of default in payment of any one of the instalments.

5.Considering the submissions made on either side, the remaining outstanding amount shall be paid in five consecutive equal monthly instalments. The first instalment shall be paid on or before 20.02.2023 and the subsequent four instalments shall be paid on or before 20th day of every English Calendar month until the entire payment is made. Till such time, no coercive steps shall be taken by the respondent. If the petitioner fails to pay the amount in any one of the instalments, the respondent Bank may proceed further in accordance with law.



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6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
20.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

The Authorized Officer,
Mahindra Rural Housing Finance Limited (Branch Manager),
Door No.57 F/A1, 1st Floor,
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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.26418 of 2022

DATED : 20.01.2023