



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Fourth day of January Two Thousand and Twenty Three

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PRESENT

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

WMP(MD). No.21680 of 2022
in
W.P.(MD)No.20791 of 2022

Sinthus Banu ... Petitioner/Petitioner

Vs

1 Union Bank of India
Karaikudi Branch, No. 110 Sekkalai Road,
Karakudi Sivagangai District-623 001 Rep
by its Authorized Officer V.Saravana Moorthy

2 The Chief Judicial Magistrate,
Sivagangai, Sivagangai District.

... Respondents/Respondents

Prayer in WMP(MD). No.21680 of 2022:-

Writ Miscellaneous Petition filed Under Article 226 of the Constitution of India to grant an extension of time by 2 months so as to allow the petitioner to fulfill the condition laid by this Honble court in para 4(i) of its order dated 02.09.2022 in WP(MD) No. 20791 of 2022 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

Prayer in W.P.(MD)No.20791 of 2022:-

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorari to call for the records in connection with the impugned order in CrI.M.P.No.3362 of 2022 passed by the second respondent dated 05.08.2022 and quash the same as illegal.

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 M/s. S. Bharathy Kannan, Advocate for the Petitioner and of Mr. V.S. Karthick, Advocate for the 1st respondent, this Court made the following order:



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

This Petition is filed seeking extension of time by two months so as to allow the Petitioner to fulfil the condition laid by this Court in Paragraph No.4(i) of the order made in W.P(MD)No.20791 of 2022, dated 02.09.2022.

2.The Petitioner has filed an undertaking affidavit before this Court, wherein, the Petitioner undertakes to pay a sum of Rs.15 lakhs to the first respondent Bank, as per the order cited supra, on or before 31.01.2023. When the matter was taken up for hearing on 21.12.2022, this Court has already observed that extension of time by one month can be granted upto 31.1.2023 for payment of balance three instalments for the month of October, November and December 2022.

3.The learned counsel for the first respondent-Bank has also agreed for the undertaking affidavit filed by this Petitioner.

4.In the light of the above undertaking affidavit filed by the Petitioner, this Court extends the time for payment of three instalments for the month of October, November and December 2022 on or before 30.01.2023. If there is any default in payment of the above said amount within the time stipulated supra, the first respondent-Bank is at liberty to proceed against the Petitioner for the recovery of the abovesaid amount in the manner known to law. It is needless to say that no further time will be given to the petitioner, in this matter.

5.This Petition is ordered accordingly.

Sd/-

Assistant Registrar (CS-III)

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/01/2023

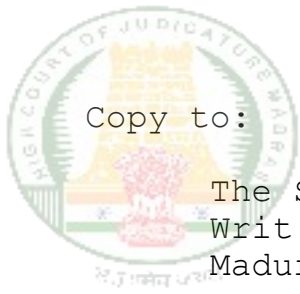
Sub Assistant Registrar(CS)

vsn

TO

1. The Chief Judicial Magistrate,
Sivagangai.

2. The Authorized Officer,
Union Bank of India,
Karaikudi Branch No. 110, Sekkalai Road,
Karakudi. Sivagangai District-623 001.



WMP(MD). N



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Copy to:

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

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ORDER DATED : 04/01/2023

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ORDER

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WMP(MD) . No.21680 of 2022
in

W.P. (MD) No.20791 of 2022

Giving direction and etc.
as stated within.

RD(12/01/2023) 3P 4C