



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD)No.28066 of 2022
and
W.M.P. (MD)No.22142 of 2022

Suhitha

... Petitioner

-Vs-

- 1.The Regional Manager,
Canara Bank, Regional Office,
Tirunelveli.
- 2.The Authorized Officer,
Canara Bank, Puliyangudi Branch,
Thenkasi District.
- 3.The Branch Manager,
Canara Bank, Puliyangudi Branch,
Thenkasi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned sale notice issued by the 2nd respondent in Ref.SN/6402261000001, dated 29.11.2022 and quash the same as illegal.

For Petitioner : M/s.J.Bala Meenakshi

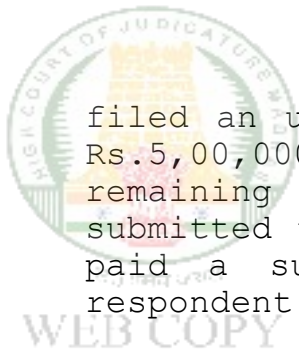
For Respondents : Mr.P.Pethu Rajesh,
Standing Counsel

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The sale notice issued by the 2nd respondent dated 29.11.2022, fixing the date for sale on 06.01.2023, is under challenge in this Writ Petition.

2.Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has



filed an undertaking affidavit, stating that he will pay of Rs.5,00,000/- (Rupees Five Lakhs Only) on or before 06.01.2023 and remaining amount in six equal monthly installments. He further submitted that as per the undertaking affidavit, the petitioner has paid a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) to the respondent Bank.

3.The learned Standing Counsel for the respondent Bank has agreed that the petitioner has paid a sum of Rs.5,00,000/- to the respondent Bank, however, opposed for granting six months time to pay the remaining outstanding amount and insisted that the same would be paid within four months.

(*)"4.Considering the submissions made on either side, we direct the petitioner to pay the remaining outstanding amount to the respondent Bank on or before 31.05.2023 in five equated monthly instalments commencing from 31.01.2023, 31.02.2023, 31.03.2023, 31.04.2023 and 31.05.2023 and in case the petitioner fails to make the aforesaid payment within the time stipulated above, the respondent Bank is at liberty to proceed further in the manner known to law."

5.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

(*)Amended as per the order of this court dated 20/01/2023 made in WP(MD) .No. 28066/22

Sd/-

Assistant Registrar (CS II)

// True Copy //

/01/2023

Sub Assistant Registrar(CS)

MYR

(*)To be substituted the order already despatched on 19/01/2023

+1 CC to M/s.J.BALA MEENAKSHI, Advocate (SR-66[F] dated 02/01/2023)

+1 CC to M/s.P.PETHU RAJESH, Advocate (SR-168[F] dated 03/01/2023)

W.P. (MD)No.28066 of 2022
02.01.2023

ED(12.01.2023) 2P 3C

KB(02.02.2023) 2P 3C

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