



WMP(MD). No.17673 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Twenty Fourth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

AND

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

WMP(MD). No.17673 of 2024

IN

W.P.(MD)No.5345 of 2023

Arulmozhi V.P

... Petitioner/ Petitioner

Vs

1 The Authorised Officer,
State Bank of India,
Karur Main Branch,
No.13-16 Old Bye Pass Road,
Karur - 639 001.

2 The Branch Manager,
State Bank of India,
Karur Main Branch ,
No.13-16 Old Bye Pass Road,
Karur - 639 001.

... Respondents/ Respondents

Prayer in WMP(MD). No.17673 of 2024:-

Writ Miscellaneous Petition Under Article 226 of the Constitution of India to modify the order dated 15.03.2023 made in WP(MD) No.5345 of 2023 by permitting the petitioner to pay the remaining due amount within 3 months from the date of de-sealing the petitioners residential house premises.



WMP(MD). No.17673 of 2024

Prayer in W.P.(MD)No.5345 of 2023:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue of Writ of Mandamus directing the respondents to restore the possession of the first floor of the petitioners residential house premises situated at No.14, Arunachala Nagar, 4th cross, Pasupathipalayam post, Karur taluk and district, pursuant to the action of sealing it on 23.02.2023.

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.G.Mohan Kumar, Advocate for the Petitioner and of Mr. N.Dilip Kumr, Government Advocate for the respondents, this Court made the following order:

(Order of the Court was made by R.SUBRAMANIAN,J.)

"The petitioner seeks modification of the order passed in the writ petition on 15.03.2023. By the said order, we had permitted the petitioner to liquidate the debt in instalments. We had also directed the bank would de-seal the premises on payment of Rs.10,00,000/- (Rupees Ten Lakhs only) on or before 30th of March, 2023. The remaining amount was directed to be repaid in four equal monthly instalments commencing from 30th April, 2023. Admittedly, the petitioner has not complied with the order within the time schedule prescribed in the order. It is claimed that the petitioner had made some payments subsequently.



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2. Mr.N.Dilip Kumar, learned counsel appearing for the Bank, would submit that an amount due as on 03.10.2024 is Rs.12,54,544/- (Rupees Twelve Lakhs Fifty Four Thousand Five Hundred and Forty Four only).

3. Taking into account the fact that the petitioner has paid a major portion of the debt, we permit the petitioner to pay a sum of Rs.6,54,544/- (Rupees Twelve Lakhs Fifty Four Thousand Five Hundred and Forty Four only on or before 21st of November, 2024. On payment of the said sum of Rs.6,54,544/- on or before 21st of November, 2024, the bank will de-seal the premises. The balance amount of Rs.6,00,000/- (Rupees Six Lakhs only) along with any interest that accrues in the interregnum on the expenses shall be paid by 31st of December, 2024. If there is any default, the bank can re-seal the premises without any notice to the petitioner. It is made clear that no further application for modification or extension of time will be entertained.

4. With the above directions, this petition is closed."

Sd/-

Assistant Registrar (CS.II)

// True Copy //

/11/2024

Sub Assistant Registrar
(CS - I, II, III, IV)



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ORDER DATED : 24/10/2024

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ORDER

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WMP(MD). No.17673 of 2024

in

W.P.(MD)No.5345 of 2023

Giving direction and etc.
as stated within.

SL(12.11.2024)/ 4P/ 1C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.