



WMP(MD). No.18830 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Monday, the Twenty Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR

AND

The Hon`ble Mr.Justice R.VIJAYAKUMAR

WMP(MD). No.18830 of 2023

in

WP(MD) 5127 of 2023

M/s. Mary Constructions
Pro. Queen Mary,150/2,Munanjipatti Road,
Moolaikaraipatti,
Tirunelveli-627 354

... Petitioner/Petitioner

Vs

Indian Bank
Rep by its Authorized Officer,
Palayankottai Branch,
Tirunelveli-627 002

... Respondent/Respondent

Prayer in WMP(MD). No.18830 of 2023:-

This Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to extend the time granted in order dated 05.04.2023 passed in W.P.(MD) No.5127 of 2023 on the file of this Honble Court by a further period of 8 months to comply with the directions issued in the above order.



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Prayer in WP(MD) 5127 of 2023:-

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records relating to the impugned Sale Notice dated 13.02.2023 issued by the respondent and quash the same.

ORDER:-

This 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. Ajmal Khan Sr.Counsel For Ajmal Associates, for the Petitioner and of Mr. B.Rajesh Saravanan, Standing Counsel for the 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 granted by this Court in the order dated 05.04.2023 passed in W.P.(MD)No.5127 of 2023.

2.The learned counsel appearing for the petitioner states that due to heavy loss in the business, the petitioner is not able to mobilize the fund for the months of January and February, 2024. Therefore, he seeks three months time to settle the balance amount of Rs.61,30,000/- (Rupees Sixty One Lakhs Thirty Thousand Only).

3.The learned Standing Counsel appearing for the respondent has not disputed the said fact. However, he submitted that to show bona fide, the petitioner has to pay a portion of the amount to the respondent Bank within a stipulated time



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as directed by this Court.

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4.In the light of the above submissions, we are inclined to pass the following order:-

“(i)the petitioner is directed to pay a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) to the respondent Bank on or before 15.02.2024;

(ii)the balance amount has to be paid by the petitioner in two equated monthly instalments;

(iii)the first monthly instalment has to be paid by the petitioner on or before 15.03.2024 and 2nd monthly instalment has to be paid on or before 15.04.2024.”

5.We make it clear that no further extension of time will be granted at any circumstances. On payment of entire amount, the respondent Bank is directed to return the original documents to the petitioner.

6.With the above directions, this Writ Miscellaneous Petition is allowed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/02/2024

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



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TO செய்து அளித்தல்

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The Authorized Officer,
Indian Bank
Palayankottai Branch,
Tirunelveli-627 002

+1 CC to M/S.Ajmal Associates, SR-1885, dated 23/01/2024

ORDER DATED : 22/01/2024

=====
EXTENSION OF TIME
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in
WP(MD) 5127 of 2023

Giving direction and etc.
as stated within.

DL/(02.02.2024)/ 4P/ 3C

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