



W.P(MD)No.24986 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.24986 of 2024
and
W.M.P.(MD)Nos.21296and 21299 of 2024**

K.Balamurugan

... Petitioner

vs.

1.M/s.Manappuram Home Finance Limited,
Rep. by its Authorized Officer,
S.Eswaran,
141A, 142, 1st Floor,
SVSK Tower,
Alagar Koil Road, Tallakulam,
Madurai - 625 002.

2.M/s.Manappuram Home Finance Limited,
Rep. by its Managing Director,
141A, 142, 1st Floor,
SVSK Tower,
Alagar Koil Road,
Tallakulam,
Madurai - 625 002.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in pursuant to the impugned order passed in CrI.M.P.No.12405 of 2024, on the file of the learned Chief Judicial Magistrate, Dindigul, dated 03.10.2024, based on the application filed



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by the first respondent under Section 14 of SARFAESI Act, 2002 as illegal, vitiated and liable to be set aside and quash the same as illegal.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mr.M.Senthil Kumar
Standing Counsel

ORDER

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

Mr.M.Senthil Kumar, learned Standing Counsel, appearing for the respondent Bank would submit that the amount due as of today is Rs.10,54,964/-.

2. Though the order challenged is one made under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 [hereinafter referred to as "the SARFAESI Act"], the learned counsel for the petitioner would submit that the petitioner would be able to liquidate the debt, provided sometime is granted.

3. Since the property involved is a dwelling house, we feel that the petitioner should be given an opportunity to save his property. Hence, the petitioner is allowed to pay the debt in three equal consecutive monthly installments, commencing from 15.11.2024. The interest accruing during the



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interregnum and the expenses if any, shall be paid along with the last installment. The respondent Financial Institution will not implement the order of the learned Chief Judicial Magistrate, Dindigul, if the petitioner pays the installments regularly.

4. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

(R.S.M, J.) (L.V.G, J.)
24.10.2024

Index : No
Neutral Citation : No
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
W.P(MD)No.24986 of 2024
DATED : 24.10.2024