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WMP No.28825 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2025

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THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

WMP No. 28825 of 2025

in

WP No.18194 of 2025

M/s.Mathan Cars Decors
Rep By Its Proprietrix,
M. Sangeetha

Petitioner

VS

The Authorized Officer
Indian Bank, Car Street,
Karur District 639 002

Respondent

Petition filed to pass an order of extension of time of 15 days in making payment in compliance with the order dated 16.05.2024 in WP No.18194 of 2025.

For Petitioner : Ms.Anantha Gomathi
For Mr.K. Jayaganga

For Respondent : Mr.T. Sundar Rajan



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ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

Urgent circulation for this miscellaneous petition was granted today,
in view of the case for urgency made out by counsel for petitioner.

2. In this application, petitioner is seeking extension of 15 days' time
in complying with the direction given in the order in WP No.18194 of 2025,
dated 16.05.2024, when the petition was taken up by the vacation bench
and disposed of.

Paragraphs 7 to 9 of the order dated 16.05.2025 read as under:

“7. The learned counsel for the petitioner submitted that the petitioner undertakes to pay the sum of Rs.2.63 crores and also interest @ 18% per annum on the sum of Rs.72,30,750/~, being the amount deposited by the auction purchaser, within a period of four weeks from today.

8. Since the petitioner had already shown her bona fides by paying a sum of Rs.27,12,300/~, we are of the view that some indulgence can be shown. This is more so because in the petition~mentioned premises, the petitioner has been running her car service business and the petitioner is critically dependent on this property for her very livelihood.

9. Accordingly, the undertaking given today by the petitioner through her counsel, is recorded. It is made clear that in the event of the petitioner failing to honour the undertaking given before us today, sale confirmation



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already issued by the respondent bank shall hold good. On the contrary, if the petitioner abides by the undertaking given before us, the sale confirmation will stand cancelled but even thereafter, the property will continue to remain securitised with the respondent bank.”

3. Four weeks' time from 16.05.2025 would have expired on 16.06.2025. The application for extension of time was lodged on 12.06.2025. Though this application was not listed for hearing, petitioner paid a sum of Rs.1,00,00,000/- on 16.06.2025 and balance amount of Rs.1,64,50,000/- between 9/10 of July 2025. Of course, 15 days' extension would have stood expired on 30.06.2025.

4. Since petitioner has made the entire payment of Rs.2.63 Crore (in fact, petitioner has paid Rs.2,64,50,000/-), we condone the delay in making the payment.

5. Therefore, the delay having been condoned, as noted in paragraph 9 of the order dated 16.05.2025, the sale confirmation stands cancelled. But the property will continue to remain securitised with the respondent bank.

6. Since there was a delay in complying with the order, the auction



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purchaser was issued with a sale certificate on 17.06.2025, upon paying a sum of Rs.2,89,23,000/-.

7. This amount, the bank shall return to the auction purchaser with interest thereon at 18% p.a. On a sum of Rs.72,30,750/-, petitioner has already paid interest at 18% p.a., as noted in the order dated 16.05.2025. On the balance amount of Rs.2,16,92,250/- petitioner shall pay interest at 18% p.a. for the period from 17.06.2025 to 15.07.2025. This amount shall be deposited by 14.07.2025.

8. Mr.Sundar Rajan, counsel for the bank, states that he shall give the working sheet to Ms.Ananda Gomathi, before 4 p.m. today. The amount deposited by the auction purchaser shall be returned to auction purchaser together with interest at 18% p.a.

9. The statement Ms.Ananda Gomathi on behalf of petitioner that if the auction purchaser has paid more interest than 18% to any lender for paying this auction amount of Rs.2,89,23,000/-, that amount will also be paid, is accepted as an undertaking given to this Court.



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10. WMP stands disposed of. There will be no order as to costs.

(K.R.SHRIRAM, CJ.)

(SUNDER MOHAN, J.)

11.07.2025

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To

The Authorized Officer
Indian Bank,
Car Street,
Karur District 639 002



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SUNDER MOHAN, J.

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