



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Twenty Eighth day of April Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

WMP(MD)Nos.6416,6768 & 6771 of 2025

in

WP(MD).No.23844 of 2024

WMP(MD)No.6416 of 2025

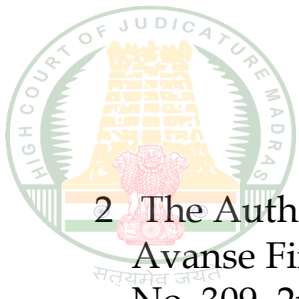
1. St. Marys Educational Trust
Rep by its Managing Trustee,
R.Anitha,
No. 1/132, East Street,
Vembur,
Tuticorin 628 906.

2. R.Anitha
W/o.A.Robert Jayakumar,
No.108D, Local Fund Road,
Salai Street,
Ramanathapuram 623 501.

... Petitioners/Petitioners

Vs

1 The Authorized Officer,
Avanse Financial Services Ltd,
Fulcrum Business Centre,
001 and 002 A Wing,
Next to Hyatt Regency Hotel,
Sahar Road Andheri(East),
Mumbai 400 699.



2 The Authorized Officer,
Avanse Financial Services Ltd,
No. 309 2nd Floor Bay City Centre,
Poonamallee High Road,
Above Maruti Kapico Showroom ,Kilpauk,
Chennai 600 010.

... Respondents/ Respondents

WMP(MD).No.6768 of 2025

1. The Authorized Officer,
Avanse Financial Services Ltd,
Fulcrum Business Centre,
001 and 002, A Wing,
Next to Hyatt Regency Hotel,
Sahar Road, Andheri (East),
Mumbai 400 099.

2. The Authorized Officer,
Avanse Financial Services Ltd,
No. 309, 2nd Floor, Bay City Centre,
Poonamallee High Road,
Above Maruti Kapico Showroom,
Kilpauk,
Chennai 600 010.

... Petitioners/Respondents

- Vs. -

1. St. Marys Educational Trust,
Rep by its Managing Trustee,
R.Anitha,
No. 1/132, East Street,
Vembur,
Tuticorin 628 906.

2. R.Anitha,
W/o.A.Robert Jayakumar,
No.108d, Local Fund Road,
Salai Street,
Ramanathapuram 623 501.

... Respondents/Petitioners



WMP(MD).No.6771 of 2025

1. The Authorized Officer
Avanse Financial Services Ltd,
Fulcrum Business Centre,
001 and 002, A Wing,
Next to Hyatt Regency Hotel,
Sahar Road, Andheri (East),
Mumbai 400 099.

2. The Authorized Officer,
Avanse Financial Services Ltd,
No. 309, 2nd Floor, Bay City Centre,
Poonamallee High Road,
Above Maruti Kapico Showroom,
Kilpauk, Chennai 600 010.

... Petitioners/Respondents

- Vs. -

1. St. Marys Educational Trust,
Rep by its Managing Trustee,
R.Anitha,
No. 1/132, East Street,
Vembur,
Tuticorin 628 906.

2. R.Anitha
W/o.A.Robert Jayakumar,
No.108D, Local Fund Road,
Salai Street,
Ramanathapuram 623 501.

... Respondents/Petitioners

Prayer in WMP(MD)No.6416 of 2025:-

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India to extend the time period for compliance of the order of this Honble Court dated 04.10.2024 in WP(MD).No. 23844 of 2024 with respect to the payment of the 3rd installment by another 30 days.



Prayer in WMP(MD). 6768/ 2025 :-

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Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India to modify the order dated 09.01.2025 passed in W.M.P.(MD).No.25190 of 2024 in W.P.(MD).No.23844 of 2024.

Prayer in WMP(MD)No.6771 of 2025:

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India to direct the respondents to forthwith redeliver possession of the secured asset to the petitioner Bank due to their non-compliance with the conditional order dated 04.10.2024 passed in W.P.(MD).No.23844 of 2024 on the file of this Honourable Court.

Prayer in WP(MD).No. 23844 of 2024:-

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned interim order passed by the Debt Recovery Tribunal, Madurai, dated 27.08.2024 in S.A.No.217 of 2024, quash the same, in so far as the conditions imposed thereon viz., payment of Rs.95,85,500/- on or before 27.09.2024 and payment of Rs.95,85,500/- on or before 28.10.2024 and all proceedings in furtherance thereof.

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.K. Krishnan, Advocate for M/s. Issac Chambers the Petitioner and of M/s.S. Mahalakshmi Advocate For R1 & R2,this Court made the



following order:

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W.M.P(MD).No.6416 of 2025 is filed to extend the time period for compliance of the order of this Court dated 04.10.2024 in W.P.(MD).No. 23844 of 2024 with respect to the payment of the 3rd instalment by another 30 days.

2.W.M.P.(MD).Nos.6768 and 6771 of 2025 are filed to modify the order dated 09.01.2025 passed in W.M.P.(MD).No.23190 of 2024 and to direct the respondent to forthwith redeliver possession of the secured asset to the petitioner Bank due to their non-compliance with the conditional order dated 04.10.2024 passed in W.P.(MD).No.23844 of 2024.

3.After the Debts Recovery Tribunal, Madurai had passed orders on 27.08.2024, several opportunities were given to the respondent to make the payment in installments. In spite of the same, the writ petitioners are yet to comply with our last order dated 09.04.2025.

4.Today, the learned counsel appearing for the writ petitioners seeks further time for complying with the same, which request we do not intend to accede to, in view of the earlier time granted to them.

5.Accordingly, the respondents are at liberty to proceed with the order passed under Section 14 of the SARFAESI Act.



6. With the above liberty, all the Writ Miscellaneous Petitions stand closed.

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Sd/-

Assistant Registrar (CS-I)

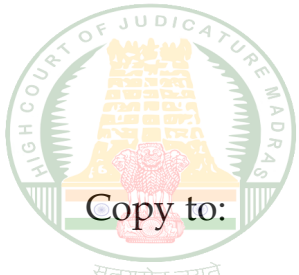
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/ /2025

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

To

1. The Authorized Officer,
Avanse Financial Services Ltd Fulcrum,
Business Centre 001 and 002 A Wing Next
to Hyatt Regency Hotel Sahar Road Andheri
(East) Mumbai 400 699.
2. The Authorized Officer,
Avanse Financial Services Ltd , No. 309 2nd
Floor Bay City Centre , Poonamallee High
Road, Above Maruti Kapico Showroom
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3. St. Marys Educational Trust,
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4. R.Anitha,
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No.108D, Local Fund Road,
Salai Street,
Ramanathapuram 623 501.



Copy to:

1. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.
2. The Special Govt. Pleader,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/s.S.Mahalakshmi Advocate SR.No.31299[F] dated: 02.06.2025

ORDER DATED : 28/04/2025

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ORDER

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WMP(MD).Nos.6416,6768 & 6771
of 2025

TS (24/06/2025) 7P/8C

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