



W.P(MD)No.10596 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

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Balamurugan

... Petitioner

VS.

1.The Branch Manager,
Indian Overseas Bank,
Thiruppathur Branch,
Sivagangai District.

2.Indian Overseas Bank,
Thiruppathur Branch,
Sivagangai District,
Represented by Chief Manager,
R.Kalyanasundaram.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent bank to break open the seal and lock of the petitioner's production center namely Fenerve Building situate in Survey No.32/1E, 32/1J and 32/1B of Cholampatty Village, Karaiyur Post, Thiruppathur, Sivagangai District by considering the petitioner's representation dated 05.04.2025.



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For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.N.Dilip Kumar
Standing Counsel

ORDER

(Order of the Court was made by S.SRIMATHY, J.)

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondent bank to break open the lock and seal of the petitioner's production center, namely Fenerve Building, situated in Survey No.32/1E, 32/1J and 32/1B of Cholampatty Village, Karaiyur Post, Thiruppathur, Sivagangai District, by considering the petitioner's representation dated 05.04.2025.

2.The learned counsel appearing for the petitioner submitted that the petitioner has already filed an appeal in S.A.No.238 of 2025 along with I.A.No.1315 of 2025 on the file of the Debts Recovery Tribunal, Madurai. The Debts Recovery Tribunal, Madurai, granted an order of interim stay, subject to the condition that the entire amount is to be paid in four equal instalments. As per the said order, the first instalment of Rs.34,35,000/- is to be paid on or before



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28.04.2025. In the meantime, the Bank has locked the unit. He further submitted that the petitioner is ready and willing to pay the instalments and the first instalment will be paid on or before 28.04.2025.

3. When the matter was taken up for hearing today, the learned standing counsel appearing for the respondent Bank submitted that as and when the petitioner pays the first instalment on or before 28.04.2025, the respondent Bank will open the seal.

4. Heard the learned counsel appearing on both sides and perused the materials placed before this Court.

5. Considering the submissions made on either side, the petitioner is directed to pay the first instalment of Rs.34,35,000/- on or before 28.04.2025. Upon such payment, the respondent Bank is directed to break open the seal and unlock the premises. In the event of any default in payment of the remaining instalments, the respondent Bank is at liberty to proceed in accordance with law. Further, in the event of default in the payment of any instalment, the petitioner shall hand over the key of the premises to the respondent Bank.



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6. With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs.

[J.N.B.,J.] & [S.S.Y.,J.]
21.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

The Branch Manager,
Indian Overseas Bank,
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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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DATED : 21.04.2025