



W.P.(MD)No.11893 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.04.2025

CORAM:

THE HON'BLE MRS JUSTICE J. NISHA BANU

AND

THE HON'BLE MRS JUSTICE S.SRIMATHY

W.P.(MD)No.11893 of 2025

and

W.M.P.(MD)Nos.8788 and 8789 of 2025

M.Indhumathi

...Petitioner

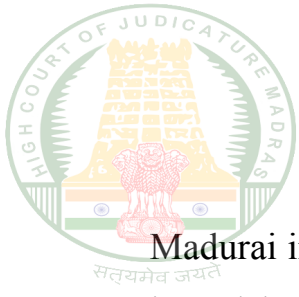
-Vs-

1.The Authorized Officer/Chief Manager,
State Bank of India,
Stressed Assets Recovery Branch (SARB),
No.8, Dr.Ambedkar Road,
Vinayagar Nagar Branch First Floor,
Madurai-625 020.

2.The Branch Manager,
State Bank of India,
Simmakkal Branch,
P.B.No.79, 153 North Veli Street,
Kannathal Complex, Simmakkal,
Madurai-625 001.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the entire records pursuant to the impugned orders passed by the Chief Judicial Magistrate,



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Madurai in Cr.M.P.No.533/2024 dated 18.04.2024 and the subsequent sale notice issued by the first respondent in Ref.No.SARB/SM/009 dated 07.04.2025 and quash the same as illegal.

For Petitioner : Mr.Niranjan S.Kumar
For Respondents : Mr.N.Dilip Kumar

ORDER

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

This writ petition is filed challenging the order made by the learned Chief Judicial Magistrate, Madurai in Cr.M.P.No.533/2024 dated 18.04.2024 and the subsequent sale notice issued by the first respondent in Ref.No.SARB/SM/009 dated 07.04.2025.

2.The petitioner availed loan from the respondent Bank. Since she has not repaid the same, the respondent bank initiated SARFAESI proceedings and issued sale notice. Challenging the same, the present writ petition is filed.

3.This Court during the earlier hearing directed the petitioner to pay a sum of Rs.15 lakhs towards her loan account before the respondent Bank on or before 28.04.2025 to show her bona fide.



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WEB COPY 4.Today, when the writ petition is taken up for hearing, the learned counsel for the petitioner submits that she has complied with the said order.

5.Perusal of sale notice issued by the respondent Bank shows that as on 05.04.2025, the outstanding due is Rs.63,58,465/-. The petitioner has already paid a sum of Rs.15 laksh in pursuant to the order of this Court dated 24.04.2025. Therefore, the petitioner is directed to pay the remaining outstanding amount in six monthly equal installments commencing from June, 2025. The monthly installment shall be paid on or before 6th day of every succeeding English calender month. The petitioner is also at liberty to negotiate with the respondent with regard to the interest and penal interest portions.

6.It is brought to the notice of this Court that the house property of the petitioner was taken into possession by the respondent Bank. Since the petitioner has complied with the interim order passed by this Court, the respondent Bank is directed to hand over the key to the petitioner forthwith. It is also made clear that if there is any default in future payments, the petitioner is directed to return the key to the respondent Bank.

7.With the above observations and direction, this writ petition is



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disposed of. No costs. Consequently, connected miscellaneous petitions are

closed.

(J.N.B.,J.) (S.S.Y.,J.)
28.04.2025

Index:Yes/No
Internet : Yes/No
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