



W.P(MD)No.12554 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM:

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

**W.P(MD)No.12554 of 2025
and
W.M.P(MD)No.9184 of 2025**

Ananthi

... Petitioner

vs.

The Authorized Officer,
Jana Small Finance Bank Limited,
No.28/36, First Floor,
South West Boag Road,
T.Nagar,
Chennai – 600 017.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records relating to issuance of auction sale notice dated 03.04.2025 issued under Rule 8(6) & 9(1) of SARFAESI Act by the respondent and quash the same as illegal and arbitrary.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.S.Babu



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ORDER

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

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The present Writ Petition has been filed for the issuance of a Writ of Certiorari to quash the auction sale notice dated 03.04.2025, issued under Rules 8(6) and 9(1) of the SARFAESI Act by the respondent.

3.When the matter was taken up for hearing today, the learned counsel appearing for the petitioner submitted that the petitioner has drawn a Demand Draft for a sum of Rs.1,50,000/- in favour of the respondent Bank and handed over the same to the learned counsel appearing for the respondent Bank. He seeks a direction to the respondent Bank to hand over the key of the petitioner's house to her. Further, the learned counsel appearing for the petitioner submitted that the petitioner agrees to pay the balance amount in 12 equal monthly instalments.



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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 and since the petitioner has drawn a Demand Draft for Rs.1,50,000/- in favour of the respondent Bank and handed it over to the learned counsel for the respondent Bank, the respondent Bank is directed to hand over the key of the petitioner's house to her. Further, the petitioner is directed to pay the balance amount in twelve equal monthly instalments. The first instalment shall be paid on or before 28.05.2025, and the subsequent eleven instalments shall be paid on or before 28th day of every English calendar month. The last instalment shall be paid along with the accrued interest. In the event of any default in payment of the remaining instalments, the respondent Bank shall be 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. Consequently, the connected Miscellaneous Petition is closed.

[J.N.B.,J.] & [S.S.Y.,J.]
28.04.2025

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



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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