



W.P(MD)No.13637 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.05.2025

CORAM:

**THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH
AND
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.13637 of 2025
and
W.M.P.(MD) No.9833 of 2025**

Murugeshwari

... Petitioner

Vs.

M/s.Equital Small Finance Bank Limited,
Rep., by its Authorized Officer,
Mr.K.Muthuselvam,
Ward No.7, Yadhavar Street,
Uthamapuram, Cumbum,
Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the entire records in relating to the impugned order made in Crl.M.P.No.682 of 2025 on the file of the Chief Judicial Magistrate, Theni, dated 21.04.2025 and to set aside the same as illegal.

For Petitioner : Mr.S.Vidhya Sagar

For Respondent : Mr.Ajay Parthiban



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ORDER

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[Order of the Court was made by N. ANAND VENKATESH, J.]

This writ petition has been filed challenging the impugned order passed in CrI.M.P.No.682 of 2025, dated 21.04.2025 on the file of the Chief Judicial Magistrate, Theni under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. When the matter was taken up for hearing on 30.04.2025, this Court passed the following order:

“The total outstanding is Rs.5,69,935/-. The petitioner is the widow of the borrower. The petitioner's husband had availed loan. The petitioner is also accepting her interest to repay the loan. Therefore, this Court is inclined to direct the petitioner to deposit Rs.1,00,000/- (Rupees one lakh only) on or before 21.05.2025. On such deposit, there shall be an order of interim stay.

2. The petitioner is directed to pay the entire outstanding in 12 equal instalments and if there is any default, the respondent is at liberty to proceed as per law. It is made clear that the last payment will be paid along with accrued interest.



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3. *For reporting compliance, post on 21.05.2025.”*

3. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that he has no instructions from the petitioner with respect to the compliance of the interim order passed by this Court on 30.04.2025.

4. The learned counsel appearing on behalf of the respondent-Bank submitted that the interim order has not been complied with till date.

5. In view of the above, the interim order passed by this Court on 30.04.2025 is hereby vacated and it is left open to the respondent-Bank to proceed further in accordance with law.

6. This writ petition is disposed of, accordingly. There shall be no order as to costs. W.M.P.(MD) No.9833 of 2025 is dismissed.

[N.A.V., J.] [L.V.G., J.]
28.05.2025

Index: Yes/No
Internet: Yes/No
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N. ANAND VENKATESH, J.
and
L.VICTORIA GOWRI, J.

abr

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