



W.P(MD)No.1055 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.1055 of 2018
and
W.M.P(MD)Nos.1092 & 1093 of 2018

B.Lakshmi

..Petitioner

Vs

1.The Regional Officer,
Tamil Nadu Industrial Co-op. Bank Ltd. (Head Office),
No.36, South Canal Bank Road, Raja Annamalaipuram,
Mandavelipakkam,
Chennai – 600 028.

2.The Branch Manager,
The Tamil Nadu Industrial Co-operative Bank Ltd.,
Sattur Branch,
Virudhunagar District.

..Respondents

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 records relating to the impugned sale notice of the 2nd respondent published in Malai Malar daily on 08.01.2018 and quash the same.

For Petitioner : Mr.N.Dilipkumar

For Respondents : Mr.M.Mohaboob Fazil for
M/s Lajapathy Roy Associates



W.P(MD)No.1055 of 2018

ORDER

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This writ petition has been filed seeking issuance of a Writ of Certiorari to call for the records relating to the impugned sale notice issued by the second respondent and published in the 'Malai Malar' daily on 08.01.2018, and to quash the same.

2. The petitioner is the wife of Late R. Bagiyanathan, who was running a small-scale match works industry under the name and style of M/s. Arokiyam Match Works, at Periyagollapatti, Virudhunagar District. He died on 01.07.2016, leaving behind the petitioner and their five children as legal heirs. The petitioner's husband had availed an overdraft facility of Rs. 70,000/- from the second respondent bank in November 2002 for his business requirements. Mrs.Late G.Mariammal, the sister of the petitioner's husband, stood as guarantor and both of them jointly deposited their title deeds with the bank on 11.11.2002. Due to lack of manpower and challenges in the match industry, the petitioner's husband faced financial difficulties, but despite this he repaid a total sum of Rs.1,70,500/- towards the loan. After the death of Bagiyanathan (on 01.07.2016) and Mariammal (in 2010), the family closed down the unit. A sale notice was earlier issued on 21.10.2016 in a Tamil daily. The petitioner approached the bank, deposited Rs.30,000/- on 11.11.2016 based on assurances of a possible One Time Settlement, but the bank did not agree and insisted on full payment.



W.P(MD)No.1055 of 2018

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3. The petitioner submits that she is aged and without employment after her husband's demise, and that exorbitant interest has been charged without adherence to statutory procedures. The respondents have now issued the impugned undated sale notice, published on 08.01.2018, proposing to conduct sale by tender on 24.01.2018 covering the properties of both the deceased persons.

4. It is the grievance of the petitioner that no prior notice of the sale was served on her and that she came to know of the same only from the publication. A copy of the published notice has been produced.

5. At this stage, the learned counsel for the petitioner submits, on instructions, that the petitioner is willing to submit a fresh offer for settlement before the first respondent. The learned counsel appearing for the respondents submits that the said offer would be considered in accordance with law.

6. Recording the above submissions made on either side and by consent, this writ petition is disposed of with a direction that the petitioner shall submit the offer now made before this Court in the form of a representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. The first respondent shall consider the



W.P(MD)No.1055 of 2018

petitioner's representation sympathetically and pass appropriate orders within a further period of three weeks thereafter. Till such time, no coercive steps shall be taken. No costs. Consequently, connected miscellaneous petitions are closed.

27.10.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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W.P(MD)No.1055 of 2018

P.T.ASHA, J.

skn

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