



**CRP(MD) No.482 of 2026**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN  
and  
THE HONOURABLE MS.JUSTICE R.POORNIMA

**CRP(MD)(PD)No.482 of 2026**  
**and**  
**CMP(MD)No.2147 of 2026**

C.Rethinam

... Petitioner

-VS-

1.The Authorised officer  
Union Bank of India  
K.K. Nagar Branch,  
340, EVR Salai, KK Nagar,  
Tiruchirapalli

..Respondent

**PRAYER:** Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the impugned order dated 04.02.2026 in I.A.No.1751 of 2025 in AIR No.2593 of 2025 passed by the Debts Recovery Appellate Tribunal at Chennai and set aside the same and consequently directed to number the appeal AIR No.2593 of 2025 along with interlocutory application.

For Petitioner : Mr.M.Dinesh Hari Sudarsan

For Respondent : Mr.N.Dilip Kumar



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## **ORDER**

**[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]**

This petition has been filed to call for the records pertaining to the impugned order dated 04.02.2026 in I.A.No.1751 of 2025 in AIR No.2593 of 2025 passed by the Debts Recovery Appellate Tribunal at Chennai and set aside the same and consequently to direct to number the appeal AIR No.2593 of 2025 along with interlocutory application.

2. The petitioner borrowed loan from the respondent and committed default and therefore the secured property was brought for sale. In pursuant to the proceedings of the respondent, sale notice was issued and the same was challenged by the petitioner before the Debts Recovery Tribunal in S.A.No.910 of 2025 on the file of the Debts Recovery Tribunal, Madurai. The petitioner also filed an application for stay of all further proceedings in IA No.4494 of 2025, which was allowed on the following conditions:

*“Without going into merits, considering the submissions of both sides counsels, Ad-Interim stay is granted to the Respondent*



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*Bank to proceed with the sale but not to confirm the sale till 23.02.2026 pursuant to the sale notice dated 15.10.2025, with respect to the petition schedule mentioned property, if the sale is so held, subject to payment of Rs.5,00,000/- on or before 18.11.2025 and the entire balance suit amount (i.e., Rs. 12,71,811.50/-) in 3 equal installments (last installment with subsequent interest and cost) directly to the Respondent Bank as mentioned here under:*

| <i>Instalment</i>                | <i>Date(On or before)</i> | <i>Amount</i>                                                 |
|----------------------------------|---------------------------|---------------------------------------------------------------|
| <i>1<sup>st</sup> Instalment</i> | <i>18.11.2025</i>         | <i>Rs.5,00,000/-</i>                                          |
| <i>2<sup>nd</sup> Instalment</i> | <i>18.12.2025</i>         | <i>Rs.4,24,000/-</i>                                          |
| <i>3<sup>rd</sup> Instalment</i> | <i>19.01.2026</i>         | <i>Rs.4,24,000/-</i>                                          |
| <i>4<sup>th</sup> Instalment</i> | <i>20.02.2026</i>         | <i>Rs.4,23,811.5<br/>(+ subsequent<br/>interest and cost)</i> |

*However, in the event of failure to pay any one of the installments as ordered above, the Respondent Bank is at liberty to proceed further and the Stay shall stand vacated automatically. If the Petitioner complies with the order, the stay granted shall be made absolute, pending disposal of the SA.*



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3. Though the petitioner has paid the first instalment on 17.11.2025 to the tune of Rs.5,00,000/-, without paying the other instalments the petitioner challenged the interim order passed in IA No.4494 of 2025 before the Debts Recovery Appellate Tribunal at Chennai. However the petitioner having not paid the pre-deposit amount, as contemplated under the Act, filed application to waiver the pre deposit condition in IA No.1751 of 2025 in AIR No.2593 of 2025. The Debts Recovery Appellate, Chennai allowed the application and directed the petitioner to make pre-deposit amount of 45% instead of 50% to the tune of Rs. 12,71,811.50/-. Further, the Debts Recovery Appellate Tribunal dismissed the appeal itself for the reason that the petitioner failed to comply with the condition imposed in the waiver application. The Debts Recovery Appellate Tribunal, Chennai further directed the petitioner to pay the instalments and specifically directed to pay the above said instalments by way of Demand Draft in favour of Registrar, Debts Recovery Appellate Tribunal, Chennai. The petitioner complied with the condition and paid the first instalment amount directly to the loan account of the respondent instead of the Registrar, Debts Recovery Appellate Tribunal, Chennai.



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4. The learned counsel appearing for the respondent fairly submitted that if the petitioner pays the entire amount as directed by the Debts Recovery Tribunal the respondent has no objection to receive the same within the stipulated time.

5. Considering the above submissions, the order of the Debts Recovery Appellate Tribunal in I.A.No.1751 of 2025 in AIR No.2593 of 2025 is set aside on condition that the petitioner shall pay a sum of Rs.10,50,000/- as the entire balance amount to the loan account on or before 06.03.2026 failing which the order passed by the Debts Recovery Tribunal shall stand automatically restored. It is made clear that after payment of the entire loan amount as directed by the Debts Recovery Tribunal, the petitioner can proceed with S.A.No.910 of 2025. The Debts Recovery Tribunal, Madurai is directed to dispose the S.A.No.910 of 2025 within a period of six months from the date of payment of the entire loan amount as directed above.



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6. In the result, the Civil Revision Petition stands allowed.

Consequently connected miscellaneous petition stands closed.

[G.K.I., J.] [R.P., J.]  
20.02.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

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***Note: Issue order copy on 25.02.2026***

To:

1. The Debts Recovery Tribunal, Madurai
2. The Debts Recovery Appellate Tribunal, Chennai



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and  
R.POORNIMA, J.

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