



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 21446 OF 2017 (GM-RES)

BETWEEN:

M.S. SANTHOSH
S/O LATE M.N. SHANTHARAJ
AGED ABOUT 41 YEARS,
NO.446/A, BUDDA MARGA,
OPP-DFRL, SIDDARTHANAGAR,
MYSORE - 570 001.

...PETITIONER

(BY SRI. KIRAN J, ADVOCATE)

AND:

1. THE MYSORE MERCHANTS
CO-OPERATIVE BANK LTD.,
JAGANMOHAN PALACE ROAD,
MYSORE - 570 024.
2. MS. M.S. ANITHA
D/O LATE M.N. SHANTHARAJ,
AGED ABOUT 35 YEARS
C/O M.S. SWAMY COFFEE PLANTER
R/A KAMANHALLI VILLAGE
SAKALESH PURA TALUK
HASSAN DISTRICT - 573 134.
3. MS. M.S. SHRUTHI
S/O LATE M.N. SHANTHARAJ,



W/O PRASHANTH L
NO.21, SIDDALINGESWARA NILAYA
III CROSS, L.G.HALLI
RMV II STAGE, BANGALORE - 94.

ALSO R/AT MS. M.S. SHRUTHI
S/O LATE M.N.SHANTHARAJ,
W/O PRASHANTH
AGED ABOUT 37 YEARS
NO.128, BLACK BURN R.O.,
GIEN WAVER LEX, VICTORIA - 3150
AUSTRALIA

...RESPONDENTS

(BY SRI. N. RAMACHANDRA, ADVOCATE FOR R1;
R2 IS SERVED AND UNREPRESENTED)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED NOTICE DTD.10.4.2017 PASSED BY THE R-1 VIDE
ANNEX-E. DIRECT THE R-1 TO FIX THE LIABILITY OF DEBT ON
R-2 AND 3 AS WELL IN ACCORDANCE WITH LAW AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

This petition is filed in view of respondent-Co-operative
Bank initiating proceedings under the Provisions of
Securitization and Reconstruction of Financial Assets and
Enforcement of Security Interest Act, 2002. The respondent
bank has filed a memo of calculation stating that as on this



date, the total outstanding amount due and payable by the petitioner in respect of two accounts is Rs.69,31,120/-.

2. Counsel for the petitioner submits that the petitioner is ready and willing to settle the matter and to show his *bona fides* he has brought cheque for ₹3,00,000/- (Rupees three lakh only). He submits that talks for settlement are on and he is hopeful of settling the matter amicably with the respondent. Be that as it may.

3. In the light of statutory remedy provided under the Act 2002, reserving liberty to the petitioner to avail remedy provided under the Act, if so, advised, this petition is ***disposed of***. If steps are taken within 30 days from the date of receipt of certified copy of this order, time consumed in prosecuting this petition shall be considered for condonation of delay.

Sd/-
(M.G.S. KAMAL)
JUDGE