



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH  
AND  
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.[MD].No.13762 of 2016  
and  
W.M.P.(MD).No.10275 of 2016

P.Arjunan .. Petitioner  
Vs.

1.The Zonal Manager,  
State Bank of India - Zonal Officer,  
Madhuram Complex,  
(Near District Court),  
Melur Road,  
Madurai - 625 002.

2.The Branch Manager,  
State Bank of India,  
Sholavandan,  
Madurai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 27.07.2016 and furnish the "Account Statement of the petitioner's Home Loan No.30957499235, dated 14.11.2009" and to collect the Home Loan dues under OTS scheme waiving penal interest and interest and close the Home Loan account and drop all the actions on the auction of petitioner's house and to return original documents within a time limit to be fixed by this Court.

For Petitioner : Mr.K.Prabhakar  
for M/s.Victory Associates,

For 1<sup>st</sup> respondent : No appearance

For 2<sup>nd</sup> respondent : Mr.Ananth C.Rajesh

O R D E R

[Order of the Court was made by R.SUBBIAH, J.]

<https://hcservices.courts.gov.in/hcservices> This writ petition has been filed by the petitioner seeking a direction to the respondents to consider his representation dated 27.07.2016, furnish his Home Loan account statement, collect the



Home Loan dues under OTS scheme waiving penal interest, close the Home Loan account, drop all the proceedings relating to the auction of the petitioner's house and return the original documents within a stipulated time.

2. Though very many contentions have been raised in the writ petition, when the matter was taken up for hearing today, the learned counsel for the petitioner submitted that the petitioner is ready to repay the entire loan amount under One Time Settlement (OTS) scheme and in this regard, he has also submitted a representation dated 27.07.2016 to the respondents. He would further submit that the petitioner would be satisfied, if a direction is given to the respondents herein to consider his representation dated 27.07.2016.

3. Heard the learned counsel for the 2nd respondent on the above submission made by the learned counsel for the petitioner.

4. In view of the above, this Court, without going into the merits of the claim of the petitioner in his representation dated 27.07.2016, directs the respondents herein to consider the representation of the petitioner, dated 27.07.2016 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of the order. However, it is again made clear that this Court has not expressed any opinion with regard to the merits of the matter and it is for the respondents to decide the same on merits.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

/True copy/

Sub Assistant Registrar

To  
The Zonal Manager,  
State Bank of India - Zonal Officer,  
Madhuram Complex,  
(Near District Court),  
Melur Road,  
Madurai - 625 002.

+1cc to Mr.K.Prabhakar, Advocate SR.No.82035

+1cc to Mr.Ananth C.Rajesh, Advocate SR.No.81744

gcg

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<https://hcservices.ecourts.gov.in/hcservices/>

Order made in  
W.P. [MD].No.13762 of 2016  
Dated: 19.12.2016