

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER**

WRIT PETITION Nos.10083 of 2017 and 10221 of 2017

COMMON ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

The relief sought for in these batch of Writ Petitions is to direct the respondent-Bank to accept the petitioners' request to settle their loan accounts under one time settlement scheme proposed under the Fish Tank Kissan Credit Card loan sanctioned to the petitioners.

Reliance is placed by Miss Almas Mohammed, learned counsel for the petitioners, on the letter issued by the respondent-Bank on 12.01.2017 informing the petitioners that the bank had come out with a special scheme under which repayment of their loan is permitted with some financial relaxation. It is the petitioners' grievance that despite repeated requests, the respondent-Bank is not acting on their representation for one time settlement.

In the absence of any statutory violation on the part of the respondent-Bank, this Court would not be justified in issuing a writ of mandamus nor would this Court, in proceedings under Article 226 of the Constitution of India, direct the respondent-Bank to accede to the request of the petitioners for a one time settlement, for these are all matters which the respondent-Bank is required to consider, and not for this Court to direct. As the petitioners are said to have submitted a representation, we have no reason to doubt that the respondent-Bank would examine the petitioners' representation in the light of its guidelines, and take an appropriate decision. We, however, see no reason to exercise our extra-ordinary jurisdiction under Article 226 of the Constitution of India, to grant the petitioners the relief sought for in these Writ Petitions.

Subject to the aforesaid observations, the Writ Petitions fail and are accordingly dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

22nd March 2017

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Date: 22.3.2017

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