

HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

Writ Petition No.8546 of 2017

ORDER: {Per Hon'ble Sri Justice Ramesh Ranganathan}

The relief sought for in this writ petition is to declare the action of the respondents, in rejecting several applications made by the petitioner seeking re-structuring the loan granted to them earlier by sanction letters dated 12.03.2014 and 04.11.2015, as arbitrary and illegal.

No statutory right of the petitioner has been violated as a result of the respondent-bank not extending to them the facility of re-structuring their debt. In any event this Court, in proceedings under Article 226 of the Constitution of India, would not undertake the exercise of determining whether or not the debt of the borrower should be re-structured by the bank, and whether the borrower should be extended the facility of repayment of the loan in easy instalments. A decision on whether or not to re-structure the loan is required to be taken by the bank, and not by this Court in proceedings under Article 226 of the Constitution of India.

A counter-affidavit has been filed by the respondent-bank detailing the earlier facilities extended by them to the petitioner, and why they do not consider it feasible to re-structure the debt. As these are all commercial decisions for the bank to take, no mandamus can be issued directing them to take a particular decision.

The Writ Petition, as filed, is devoid of merits and is, accordingly, dismissed. Miscellaneous petitions, if any, pending shall stand closed. There shall be no order as to costs.

(RAMESH RANGANATHAN, J)

(KONGARA VIJAYA LAKSHMI, J)

05th October, 2018
JSU

**HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**



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Date: 05.10.2018

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