



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs. JUSTICE R.THARANI

Writ Petition (MD).No.20389 of 2019

and

W.M.P. (MD)No.17007 of 2019

R.Anburaja

... Petitioner

Vs.

1.The Authorized Officer/Chief Manager,
Repco Home Finance Ltd,
NO.73, Gomath Tower, 1st Floor,
Pensioners Street,
Palani Road,
Dindigul.

2.The District Collector and District Magistrate,
Dindigul District,
Dindigul.

3.The Tahsildar,
Natham Taluk Office,
Natham,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to provide opportunity to settle the dues of the petitioner under one time settlement based on the petitioner's representation dated 03.09.2019 and 16.09.2019 and deliver the property situated at Dindigul District, Nadumandalam Village, Natham Taluk, in S.No.536/2A2A to an extent 0.08.50, S.No.536/2B1B to an extent 0.11.50, S.No.536/2B2A to an extent 0.03.50 to the petitioner.

For Petitioner : Mr.T.Selvan

For 1st Respondent : Mr.B.Rajesh Saravanan

For Respondents 2 and 3 : Mr.A.MuthuKaruppan, AGP

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.T.Selvan, learned counsel appearing for the
<https://hcservices.ecourts.gov.in/hcservices/>



petitioner, Mr.B.Rajesh Saravanan, learned counsel appearing for the first respondent and Mr.A.Muthu Karuppan, learned Additional Government Pleader appearing for the Respondents 2 and 3.

2.The petitioner seeks for a direction to the first respondent to consider the proposal for one time settlement.

3.Unfortunately, we cannot issue any such a direction in the writ petition filed under Article 226 of the Constitution of India. We find that the petitioner is a borrower and defaulted in repayment of the loan and the proceedings have been initiated under SARFAESI Act and sale notice was also published to bring the petitioner's property for sale. Therefore, we cannot grant the relief sought for in this writ petition. However, this will not prevent the petitioner from approaching the Bank for claiming any proposal.

4.Accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

mrn/sji
To

1.The District Collector and District Magistrate,
Dindigul District,
Dindigul.

2.The Tahsildar,
Natham Taluk Office,
Natham,
Dindigul District.

+1 CC to M/s.T.SELVAN, Advocate (SR-88242[F] dated 20/09/2019)

+1 CC to M/s.GP (SR-88552[F] dated 23/09/2019)

Mrn/sj

Writ Petition (MD).No.20389 of 2019

20.09.2019

KK/SAR/04.10.2019/2P-5C/