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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.14759 of 2021

J Akshaya
Daughter of T.S. Jagannathan
Proprietor of Sri Sai Agencies
EMAAR Apartments Block No.2
Flat 201, No.75, Vaidyanathan Street
Appollo Hospital, Tondiarpet
Chennai - 600 081. .. Petitioner

Vs

The Chief Manager
State Bank of India (SME) (18529)
Rajaji Salai, No.1
Anchor Gate Building
Port Trust, Rajaji Salai
Chennai - 600 001. .. Respondent

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondent bank to consider the petitioner's representation dated 24.06.2021 seeking for extension of time to comply with the scheme of one time settlement of NPAs and AUCAs (SBI OTS 2020) dated 30.11.2020 pertaining to cash credit account No.37672884752 of the petitioner and thereby enable the petitioner to comply with the scheme of one time settlement.

For Petitioner : Mr.M.Premkumar

For Respondent : Ms.S.R.Sumathy

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner seeks a direction on the respondent bank to

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allow the petitioner to avail of the one-time settlement scheme offered to the petitioner by making payments beyond the time indicated in the letter of offer.

2. Since the settlement offer is purely a matter between a bank and its constituent and does not involve any public element, such a prayer cannot be acceded to. It must also be remembered that banks make OTS offers to similarly placed constituents on certain common parameters. It would be unfair to direct the bank to vary the conditions in respect of one constituent, merely because such constituent has approached the court.

3. Accordingly, W.P.No.14759 of 2021 is disposed of by leaving it open to the respondent State Bank of India to consider extending the time for the petitioner to avail of the OTS offer; however, the same relaxation has also to be provided to similarly placed persons, in the event the bank modifies the terms for the petitioner herein.

There will be no order as to costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bbr

To

The Chief Manager
State Bank of India (SME) (18529)
Rajaji Salai, No.1
Anchor Gate Building
Port Trust, Rajaji Salai
Chennai - 600 001.

+1cc to Mr.K.Venkatesan, Advocate, S.R.No.34122

W.P.No.14759 of 2021

RSV(CO)
SU(23/07/2021)

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