



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

W.P.NO.16771 OF 2020

Parimala

...Petitioner

vs

- 1.The Regional Manager,
Registered Office,
Ruman House, H.T.Prekh Marg,
No.169, Backbay Reclamation,
Church Gate, Mumbai - 400 020.
- 2.The Authorised Officer, HDFC Bank,
HDFC House, No.29, Kamaraj Road,
(Near Circuit House)
Coimbatore - 641 018.
- 3.The Branch Manager, HDFC Bank,
41-B, Bharathipuiram
Indira Nagar, Dharmapuri District.
- 4.The Authorised Signatory, HDFC Life,
Registered Office Lodha Excelus,
13th Floor Mills Compound,
N.M.Joshi Marg, Marg Malaxmi,
Mumbai - 400 001.
- 5.The Branch manager, HDFC Life,
HDFC & Salem Divya Trade Centre Branch,
2nd Fly Divya Trade,
No.44, Brindavan Road, Fair Lands,
Opposite Jaya Nursing Home
Salem - 636 013.
- 6.The Authorised Office,
HDFC Ergo General Insurance,
Registered Office,
1st Floor, No.166, Blackbay Reclamation,
H.T.Parek Marg, Churchgate,
Mumbai - 400 011.



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7.The General Manager,
HDFC Ergo General insurance Co.,
6th Floor, Leela Business Park,
Andheri Kula Road,
Mumbai - 400 059.

8.The Regional Manager, HDFC Bank Ltd.,
No.6, Brindavan Road, New Fairland,
Salem.

9.HDFC Standard Life Insurance Ltd.,
Rep. by its Branch Manager,
' 2nd Fly Divya Trade,
No.44, Brindavan Road, Fair Lands,
Opposite Jaya Nursing Home,
Salem - 636 013.

...Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issued under Writ of Mandamus forbearing the 3rd respondent herein from pursuing its loan A/c.No.623340670, 623476348 and 630027630 under the SARFAESI Act in respect of property in S.F.No.39/1A2, 39/1A2A, Plot No.3 an extent of 2200 sq.ft., A.Jettihalli Village, Nallampalli Taluk, Dharmapuri District before finalizing the insurance policy No.18902122 and Policy No.41555278 pending before the 5th and 7th respondents herein.

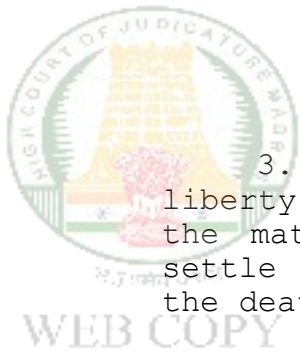
For the Petitioner	:	Mr.Uma Shankar For Mr.M.Selvam
For the Respondents	:	Mr.V.V.Uthra For M/s.K.V.Parthasarathy for R1 to R3 and R8 No appearance for R4 to R6 R7 - Not ready in notice

ORDER

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

Learned counsel appearing for the petitioner submits that an award has been passed by the Motor Accidents Claims Tribunal on the claim made by the petitioner for the death of her husband in a road accident. An amount of Rs.80 lakh would be received by her and thus, she is willing to settle the matter with the bank.

2. Learned counsel appearing for the bank submits that if the petitioner comes with a proposal to settle the matter, the bank would readily consider the same, however, not later than a period of fifteen days from today.



3. In view of the above, this petition is disposed of with liberty to the petitioner to approach the bank for settlement of the matter and the bank would consider the same and try to settle the matter, considering the circumstances obtaining to the death of her husband.

4. It is made clear that if the settlement could not be arrived as aforesaid, the petitioner would not remain remediless, rather would be at liberty to approach the Debts Recovery Tribunal by invoking Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

5. In view of the above, the present writ petition is disposed of with the liberty aforesaid. Consequently, W.M.P.No.20781 of 2020 is closed. There will be no orders as to costs.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

kpl/drm

To:

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+1cc to Mr.K.J.Parthasarathy, Advocate SR.No.64279

+1cc to Mr.Selvam, Advocate SR.No.64543

W.P.No.16771 of 2020

MG(CO)
RVM(10/12/2021)