



WEB COPY

**W.P.(MD) No.7925 of 2021**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.(MD) No.7925 of 2021

and

WMP(MD) .No.6045 of 2021

M/s.Zubana Leathers Private Ltd.,

Rep. by its Managing Director,

M.Kaja Nazumudeen

.. Petitioner

Vs

1. The Chief Manager,

Canara Bank,

Salai Road, Dindigul.

2. The Authorized Officer,

Canara Bank,

Asset Recovery Management Branch,

St.Marys Campus,

Circle Office Building 1st floor,

East Veli Street, Madurai-625 001.

3. Mr.Nazeer

4. Mr.Jaffar

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 08.04.2021 made through email ID of the respondents vide email id cb6291@canarabank.com by accepting the remittance a sum of Rs.1,17,00,000/- (Rupees one crore seventeen lakhs only) in the light of the offer letter dated 31.03.2021 followed by the compromise under One Time Settlement offer and to release the petitioner property documents deposited with the first respondent.

For Petitioner

: Mr.C.M.Arumugam

For respondents

: Mr.C.Deepak,  
for R1 and R2

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

The writ petitioner seeks for a writ of Mandmaus, to direct

<https://hcs.respondents/> 1 and 2 to consider the representation of the



petitioner dated 08.04.2021 made through email ID of the respondents vide email id cb6291@canarabank.com by accepting the remittance a sum of Rs.1,17,00,000/- (Rupees one crore seventeen lakhs only) in the light of the offer letter dated 31.03.2021 followed by the compromise under One Time Settlement offer and to release the petitioner property documents deposited with the first respondent.

2. Though, initially we are of the opinion that the respondent-bank can be directed to accept the payment made by the writ petitioner towards an One Time Settlement, after hearing the learned Counsel appearing for the respondent-bank, we are of the view that such direction cannot be issued, because the property has been sold and a third party had purchased the property on 31.03.2021 and the sale certificate has already been issued.

3. Therefore, we give liberty to the petitioner to challenge the proceedings initiated against him before the appropriate forum, if so advised.

4. With the above observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

+2 CC to MR.C.DEEPAK, Advocate ( SR-16780,16795[F] dated 21/04/2021 )

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KM(26.05.2021) 2P 3C

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