



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.14116 of 2021

and

W.M.P(MD)No.11082 of 2021

M.Nareshkumar

... Petitioner

Vs.

1.The Authorised Officer/Chief Manager,
Punjab National Bank,
Circle Sastra Centre,
No.448-A, Dr.Nanjappa Road,
Coimbatore - 641 018.

2.The Branch Manager,
Punjab National Bank,
17, Chithra Complex,
Rajendra Road,
Subramniyapuram,
Palani - 624 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents to restructure/re-schedule of the repayments of petitioner's Loan Accounts in Account Nos.(1) 19427015002148 (2) 19427015002659 respectively, on the basis of the petitioner's representations, dated 05.07.2021 and 14.07.2021 and to grant sufficient time for clearing the balance amount to be arrived as per the OTS settlement with the respondent's bank.

For Petitioner : Mr.A.Prasanna Rajadurai
For Respondents : Mr.Rengasamy

ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 and 2 to restructure and reschedule of the repayments of the petitioner's loan accounts on the basis of the petitioner's representations, dated 05.07.2021 and 14.07.2021 and to grant sufficient time for clearing the balance amount to be arrived as per the One Time Settlement (OTS) with the respondent's bank.



2.It is settled position that this Court cannot compel the respondents Bank to accept for the OTS proposal given by the petitioner. If the OTS proposal given by the borrower is reasonable, the respondents Bank may consider the same.

3.Mr.Rengasamy, learned counsel appearing for the respondents Bank submitted that though the outstanding amount is more than Rs.32,00,000/-, the petitioner has given OTS proposal only for a sum of Rs.12,00,000/-, which was not acceptable for the respondents Bank.

4.As already stated, this Court cannot compel the respondents Bank to accept the OTS proposal given by the petitioner. In such view of the matter, we are not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

To

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RS (23.08.2021) 2P 3C

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