



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)Nos.14860 & 14861 of 2021

and

W.M.P(MD)Nos.11768 & 11770 of 2021

1.W.P(MD)No.14860 of 2021:-

1.K.Yogaraja
2.Y.Sangeetha

... Petitioners

Vs.

The State Bank of India,
Thuraiyur - 621 010,
Trichy District,
Rep. by its Branch Manager.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioners, dated 04.08.2021.

2.W.P(MD)No.14861 of 2021:-

1.Y.Sangeetha
2.K.Yogaraja

... Petitioners

Vs.

The State Bank of India,
Thuraiyur - 621 010,
Trichy District,
Rep. by its Branch Manager.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioners, dated 04.08.2021.

For Petitioner : Mr.V.Singan
(In both W.Ps')

For Respondent : Mr.M.Ponniah
(In both W.Ps')

COMMON ORDER

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

The petitioners have filed the above Writ Petitions to issue Writs of Mandamus, directing the respondent to consider the representations of the petitioners, dated 04.08.2021.

2. Since the issues involved in both the Writ Petitions are
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common, the Writ Petitions are disposed of by this common order.

3.It is the case of the petitioners that they gave representations, dated 04.08.2021 to the respondent Bank for availing One Time Settlement (OTS) scheme.

4.It is settled position that the respondent Bank cannot be compelled to accept the OTS proposal given by the borrower for the guarantor.

5.Earlier, the petitioners have filed W.P(MD)Nos.11549 and 11550 of 2021 and the Division Bench of this Court, by order dated 13.07.2021, disposed of the Writ Petitions observing that if the representations are given in full form, it is open to the respondent Bank to consider the same in accordance with the relevant guidelines.

6.When the petitioners have already filed Writ Petitions and got such observation, we do not find any reason to give one more direction to the respondent Bank. So far as OTS proposal is concerned, the respondent Bank has to decide the same in accordance with the Rules. Therefore, we are not inclined to grant the relief sought for in the Writ Petitions. Accordingly, the Writ Petitions are dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

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

The Branch Manager,
The State Bank of India,
Thuraiyur - 621 010,
Trichy District.

**W.P(MD)Nos.14860 & 14861 of 2021
19.08.2021**

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