



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2021

CORAM :

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P (MD)No.21527 of 2021

and

WMP (MD)Nos.18085 and 18086 of 2021

- 1) Bharath Agro Foods,
Rep. by its Managing Partner
A.Tajudeen,
112, Vallam-Orathanad Road,
Marungulam Village,
Thanjavur-613 006.
 - 2) AR Rahman Traders,
Rep. by its Sole Proprietrix
Mrs.Hajeera Begam,
No.2336/1, Vettukkara Street,
Thanjavur-613 001.
 - 3) M/s. Taj Traders,
Rep by its Sole Proprietor, A.Tajudeen,
No.2336/1, Vettukkara Street,
Thanjavur-613 001.
- ... Petitioners

vs.

- 1) Indian Bank,
Rep. by its Deputy General Manager/Zonal Manager,
Zonal Office,
Moopanar Arcade, Besant Road,
Kumbakonam, Thanjavur District.
 - 2) Indian Bank,
Rep by its Authorised Officer/Chief Manager,
Thanjavur Main Branch,
No.61, South Main Street,
Thanjavur-613 009.
- ... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order of the 2nd respondent dated 17.11.2021 and to quash the same and consequently direct the respondents to

<https://hcservices.ecourts.gov.in/hcservices/>



consider the OTS proposal of the petitioners dated 06.10.2021 on merits and in accordance with law.

For Petitioner : Mr.D.Selvanayagam
For Respondents : Mr.Jayesh B.Dolia

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ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The writ petition is filed by the petitioners, challenging the rejection of the proposal for OTS.

2. According to the bank, the liability is more than 8 crores and the offer given by the petitioners is very less. The counsel for the respondent bank is also present and challenged the maintainability of the writ petition against the rejection of the proposal for OTS.

3. The learned counsel for the petitioners states that the petitioners are ready to settle, if their offer of OTS is re-considered by the bank.

4. Though this Court cannot issue such a direction, it is open to the petitioners to approach the bank and they can improve the offer, which is acceptable to the bank. This Court cannot interfere in the rejection of the OTS.

5. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Bala

+1 CC to M/s.D.SELVANAYAGAM, Advocate(SR-37265[F] dated 03/12/2021)

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MGJ(15.12.2021) 2P 2C