



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.17162 OF 2020

Mr. Periyasamy Reddy

...Petitioner

Vs

1. The Regional Manager,
Canara Bank,
Viruttampattu,
Katpadi Road,
Vellore,
Vellore District.

2. The Branch Mnager,
Canara Bank,
Panapakkam Branch,
Arakkonam taluk,
Ranipet District.

...Respondents

PRAYER:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider the petitioner's representation dated 20.07.2020.

For petitioner : Mr. A.Gouthaman
For respondents : M/s. S.R. Sumathy

ORDER

The present petition has been filed seeking a direction to the the respondents 1 & 2 to consider the petitioner's representation dated 20.07.2020 and pass appropriate orders on the same.

2. The case of the petitioner is that he had obtained a crops loan from the 2nd respondent bank to the tune of Rs.4,10,000/- by mortgaging his property to the 2nd respondent bank, out of which, the petitioner had repaid a sum of Rs.68,000/-. While being so, the 2nd respondent bank is now



demanding a sum of Rs.7,88,979/- from the petitioner towards the crops loan availed by him. Due to scarcity of water, the petitioner could not carry out his agricultural activities for the past three years and therefore, there is no income from his agricultural lands and since, the petitioner is also facing a financial crisis due to COVID pandemic, he could not repay the loan availed from the 2nd respondent bank. Hence, the petitioner issued a legal notice through an advocate on 24.09.2020, for which a reply was sent by the 2nd respondent accepting for speech of one time settlement. Thereafter, the petitioner made a representation dated 20.07.2020 to the respondents requesting to accept a sum of Rs.2,00,000/- as one time settlement as the petitioner has already repaid a sum of Rs.68,000/- towards the loan availed and to relieve the petitioner's mortgaged property. However, till date the same has not been considered by the respondents. Hence, the present petition has been filed seeking the above relief.

3. Learned Counsel for the petitioner submits that he is ready to pay the amount of Rs.4,00,000/- as fixed by the respondents towards One Time Settlement.

4. Learned counsel for the respondents submits that the petitioner's representation dated 20.07.2020 was considered and personal hearing was also conducted, at which time the petitioner was advised to pay a sum of Rs.4,00,000/- as One Time Settlement and the said representation for OTS proposal was withdrawn by the petitioner.

5. In view of the submission of the learned counsel for respondents that the petitioner agreed to pay the amount of Rs.4,00,000/- as fixed by the respondents, this Court without going into the merits of the case, directs the petitioner to pay a sum of Rs.4,00,000/- (Rupees Four Lakh Only) to the respondents bank within a period of four weeks from the date of receipt of a copy of this order and the respondents are directed to receive the said sum in full quit of all the claims towards the petitioner.

6. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

NHS

Sub Assistant Registrar



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Katpadi Road,
Vellore,
Vellore District.
2. The Branch Mnager,
Canara Bank,
Panapakkam Branch,
Arakkonam taluk,
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+1cc to Mr. A.Gouthaman, Advocate, S.R.No.1519

W.P.NO.17162 of 2020

KSM(CO)
PM/07/02/2022