



W.P.No.34255 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

OCORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.34255 of 2022

K.Rajendran

.. Petitioner

Vs.

The Authorised Officer
REPCO Home Finance Limited
No.40A, Ground Floor, Vivek Arcade
45 Feet Road
Vallalar Salai
Kamaraj Nagar
Pondicherry 605 001.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondent to consider the petitioner's representation dated 26.11.2022 for one time settlement of his loan account bearing No.1231860001220.

For the Petitioner : Mr.K.Myilsamy



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ORDER
(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a writ of Mandamus directing the respondent to consider the representation of the petitioner dated 26.11.2022 for one time settlement of his loan account bearing No.1231860001220.

2. The Apex Court, in ***The Bijnor Urban Cooperative Bank Limited v. Meenal Agarwal [2021 SCC Online 1255]***, has held that no writ of mandamus can be issued by the High Court in exercise of powers under Article 226 of the Constitution of India directing a financial institution/bank to positively grant the benefit of One Time Settlement Scheme to a borrower, as it is always subject to the eligibility criteria mentioned under the OTS Scheme and the guidelines issued from time to time.

3. In view of the ratio laid down by the Apex Court supra, the prayer of the petitioner to consider his representation dated



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26.11.2022 for one time settlement of his loan account cannot be granted. Accordingly, the writ petition fails and the same is dismissed.

(T.R., ACJ.) (D.B.C., J.)
22.12.2022

kpl

To

The Authorised Officer
REPCO Home Finance Limited
No.40A, Ground Floor, Vivek Arcade
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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

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