



W.P(MD)No.3075 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P(MD)No.3075 of 2021
and
W.M.P(MD)No.2452 of 2021**

Gnana Floral

... Petitioner

VS.

1.The Authorised Officer,
Canara Bank (Formerly Syndicate Bank),
Main Branch,
Cantonment,
Tiruchirappalli – 1.

2.The Branch Manager,
Canara Bank (Formerly Syndicate Bank),
No.146, W.B. Road,
R.R Sabha Building,
Tiruchirappalli – 620 002.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to forego penal and compound interest charged in the petitioner's loan Account No.63607210000302 consequently pleased to direct the respondents to accept the petitioner's One Time Settlement offer dated 20.06.2020.



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For Petitioner : Mr.R.S.Sivaram

For Respondents : Mr.N.Dilip Kumar

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents to forego penal and compound interest charged in the petitioner's loan Account No.63607210000302 and consequently to direct the respondents to accept the petitioner's One Time Settlement offer, dated 20.06.2020.

2.The learned counsel appearing for the petitioner submitted that the respondents Bank has committed fraud in claiming the outstanding amount with an exorbitant interest.

3.Heard both sides.

5.In our opinion, such claim of the petitioner can very well be agitated before the Debts Recovery Tribunal at Madurai, since the petitioner has already filed S.A.No.247 of 2014 against the SARFAESI proceedings,



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which is pending before the Debts Recovery Tribunal, Madurai. However, considering the fact that S.A.No.247 of 2014 is pending from the year 2014 onwards, we direct the Debts Recovery Tribunal, Madurai to take up the application on preferential basis and dispose of the same as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D.,J.] [J.S.N.P.,J.]
30.11.2022

Index : Yes / No
Internet : Yes
ps



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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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DATED : 30.11.2022