WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM:

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

W.P.(MD) No.21616 of 2022
and W.M.P.(MD)No.15754 of 2022

D.Chella Sangu Raja ... Petitioner

-vs-

M/s.Indian Bank,
Rep. by its Authorized Officer /
Chief Manager,
K.Karthikeyan,
Sivagangai Branch,
124, Weekly Market Road,
Sivagangai. ... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order in Crl.M.P.No.3031 of 2022, dated 11.07.2022 passed by the learned Chief Judicial Magistrate, Sivagangi and quash the same on the ground that the same is arbitrary, illegal and without any legal basis.

https://www.mhc.tn.gov.in/judis

WEB COPY

For Petitioner : Mr.M.Ganeshkamu

For Respondent : Mr.R.Pandivel,
Standing Counsel

O R D E R

[Order of the Court was made by R.MAHADEVAN, J.]

Challenging the order passed by the learned Chief Judicial Magistrate, Sivagangi, in Crl.M.P.No.3031 of 2022, dated 11.07.2022, the petitioner has filed this Writ Petition.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that it is suffice if the petitioner is permitted to submit OTS proposal to the respondent – Bank with a direction to the respondent – Bank to consider the same on merits and in the light of the RBI norms, within a time frame.

3. The learned counsel appearing for the respondent – Bank submitted that if the petitioner submits any OTS proposal, the respondent – Bank would consider the same on merits, within a time frame.

https://www.mhc.tn.gov.in/judis

WEB COPY

4. Though this Court cannot issue any positive direction as sought for by the petitioner, in view of the submission made by the learned counsel for the respondent - Bank, this Writ Petition is disposed of directing the petitioner to submit OTS proposal to the respondent - Bank, within a period of two weeks from the date of receipt of a copy of this order and on such submission, the respondent - Bank may pass orders on the same, on merits and in accordance with RBI norms, within a period of four (4) weeks thereafter. Till such time, the respondent bank shall not take any coercive action against the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
17.11.2022

vsm

To

M/s.Indian Bank,
Rep. by its Authorized Officer /
Chief Manager,
K.Karthikeyan,
Sivagangai Branch,
124, Weekly Market Road,
Sivagangai.

https://www.mhc.tn.gov.in/judis

WEB COPY

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

vsm

W.P.(MD) No.21616 of 2022

17.11.2022

https://www.mhc.tn.gov.in/judis