



W.P(MD) No.22041 of 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.09.2022**

**CORAM:**

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

**W.P.(MD) No.22041 of 2022**

S.Sheik Abdullah

... Petitioner

-VS-

The Branch Manager,  
Indian Overseas Bank,  
Arupukottai Branch,  
Virudhunagar District.

... Respondent

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondent to waive off the interests in petitioner Car loan A/c.No.18420345200004 and cash Credit loan A/c No.184202000000350 in the respondent bank by the proposal of One Time Settlement in the light of considering the petitioner's



W.P(MD) No.22041 of 2022

representation dated 08.09.2022, within a stipulated time prescribed by this Hon'ble Court.

WEB COPY

For Petitioner : Mr.S.A.S.Alaudeen

For Respondent : Mr.Pandivel

### **ORDER**

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

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing respondent Bank to waive off the interest of the petitioner's Car loan A/c.No.18420345200004 and cash Credit loan A/c No.184202000000350, as per the One Time Settlement proposal of the petitioner by considering the petitioner's representation dated 08.09.2022, within a time frame.

2. According to the petitioner, he is running a retail business in the name and style of 'M/s.Sun Tex' and during the year 2014, he availed loans for the development of his business and for purchasing a vehicle. While so, due to financial crunch on account of COVID – 19 pandemic, he was unable to make regular payment. Thereafter, the petitioner has



W.P(MD) No.22041 of 2022

made a representation dated 08.09.2022, to the respondent, seeking One Time Settlement (OTS) for the aforesaid loan accounts and the same, according to him, is unattended.

3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that it is suffice if a direction is issued to the respondent to consider and pass orders on the representation of the petitioner dated 08.09.2022, in accordance with law.

4. Heard Mr.S.A.S.Alaudeen, learned counsel appearing for the petitioner and Mr.Pandivel, learned counsel appearing for the respondent, who submitted that the representation of the petitioner will be considered in accordance with law within a time frame.

5. Considering the limited relief sought for, without going into the merits of the matter, this Writ Petition is disposed of with a direction to the respondent to consider the representation of the petitioner dated 08.09.2022, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this order should not be construed as giving any positive direction to



W.P(MD) No.22041 of 2022

the respondent, who should pass orders depending upon the facts and circumstances of the case. No costs.

[R.M.D., J.] [J.S.N.P., J.]  
19.09.2022

Index : Yes / No  
Internet : Yes / No  
pkn



WEB COPY



*W.P(MD) No.22041 of 2022*

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

pkn

**W.P.(MD) No.22041 of 2022**

**19.09.2022**