



W.P.No.15665 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.05.2023

CORAM :

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.15665 of 2023

M.Vinothkumar

.. Petitioner

Vs

1.The Chairman cum District Collector,
District Level Bankers Committee,
Cuddalore District,
Cuddalore-1.

2.The Regional Manager/Authorised Officer,
Canara Bank,
Regional Office,
Bussy Street,
Puducherry-605 001.

3.The Branch Manager,
Canara Bank,
Palur-607 102,
Panruti Taluk,
Cuddalore District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to



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receive the balance loan amount with interest in OTS proposal made on 19.01.2022.

For the Petitioner : Mr.P.Paramasiva Doss
for M/s.D.Kalaiselvi

ORDER

(Order of the court was made by C.V.KARTHIKEYAN, J.)

The writ petition has been filed in the nature of mandamus seeking a direction to the respondents to receive the balance loan amount with interest, as per the one-time settlement proposal which was made on 19.01.2022.

2. Before proceeding further, we make it clear that the writ petition seeking such a relief is not maintainable. The petitioner, as a customer of the respondent bank, has entered into a contractual agreement with the bank and the parties are governed by such an agreement, which is a banker and customer relationship, and this Court exercising jurisdiction under Article 226 of the Constitution of India cannot issue any direction to the respondent bank to accept the one-time settlement proposal made by the



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petitioner.
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3. It is seen from the records that O.S.No.644 of 2021 has been filed by the respondent, Canara Bank, Panruti Branch, against the petitioner herein for recovery of a sum of Rs.3,69,306.84 together with interest and the said suit is now pending before Sub-Court, Panruti. The petitioner can always make a proposal for settlement of the claim in the said suit pending before the Sub-Court, Panruti. If such proposal is made by the petitioner, the learned Subordinate Judge, Panruti, shall take it in proper perspective and pass appropriate orders.

4. Giving that aforesaid leverage to the petitioner, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.15157 of 2023 is closed.

(C.V.K., J.) (S.K.R., J.)
17.05.2023

Index : No
Neutral Citation : No
sasi/bbr



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To:

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C.V.KARTHIKEYAN, J.
AND
SENTHILKUMAR RAMAMOORTHY, J.

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