



W.P.No.31015 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.31015 of 2022

G.Augustin Jebaraj

... Petitioner

Vs.

1.The Banking Ombudsman
Reserve Bank of India
Fort Glacis, No.16, Rajaji Salai
Fort George, Chennai - 600 001.

2.The Branch Manager
Indian Overseas Bank
Nesappakkam Branch
Chennai - 600 078.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for a Writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 12.10.2022 to conduct enquiry of the accounts of the second respondent, also direct the second respondent to consider O.T.S. (One Time Settlement) Scheme and pass such further or other orders as this Court may deem fit and proper in the interest of justice.



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For Petitioner : Mr.M.Balasubramanian

For Respondents : Mr.T.Poornam for R1
R2 - No appearance

ORDER

The petitioner is a defaulter in housing loan that he had obtained from the second respondent. His loan has been declared NPA and proceedings were also initiated under SARFAESI Act. Be that as it may, the petitioner presented a representation dated 22.09.2022 to the second respondent for offering an OTS for the stated sum which is about 50% of the claim of the Bank.

2. Heard Mr.M.Balasubramanian, learned counsel for the petitioner and Mr.T.Poornam, learned counsel appearing for the first respondent.

3. Without getting into the merit of the contentions vis-a-vis the loan liability which obviously is before this Court, this Court merely requires the second respondent to consider the representation of the petitioner if the same is permissible within the parameters that bank adopts.



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4. With the above direction, this writ petition is disposed of. No costs.

11.07.2023

Index : Yes / No

Speaking order / Non-speaking order
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To:

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N.SESHASAYEE.J.,

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