



W.P.(MD)No.3014 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD) No.3014 of 2023
and W.M.P.(MD)Nos.2836 & 2837 of 2023

N.Balagurusamy

... Petitioner

Vs.

Indian Overseas Bank,
Rep. by its Authorized Officer,
Eppodumvendran Branch,
Door No.55, Middle Street,
Eppodumvendran – 628 712,
Tuticorin District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the impugned Possession Notice dated 31.01.2023 and quash the same and consequently direct the respondent to consider the petitioner's

Page 1 of 5



W.P.(MD)No.3014 of 2023

WEB COPY

representation dated 01.02.2023 in person to settle the dues under One time Settlement.

For Petitioner : Mr.V.Karthikeyan

For Respondent : Mr.N.Dilipkumar,
Standing Counsel.

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the impugned Possession Notice dated 31.01.2023 and quash the same and consequently direct the respondent to consider the petitioner's representation dated 01.02.2023 in person to settle the dues under One time Settlement.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.(MD)No.3014 of 2023

WEB COPY

3. The learned counsel appearing for the petitioner submitted that the petitioner has submitted a representation on 01.02.2023, seeking to settle the dues under One Time Settlement, however, the same was not considered by the respondent bank. He further submitted that it is suffice, if the respondent is directed to consider the representation of the petitioner dated 01.02.2023.

4. Heard the submission of Mr.N.Dilip Kumar, learned Standing Counsel, who takes notice for the respondent bank.

5. This Court, without expressing any opinion on the merits of the matter, directs the petitioner to submit a fresh representation to the respondent bank, seeking to settle the dues under One Time Settlement, within a period of one week from the date of receipt of a copy of this order. After receipt of such representation, the respondent bank is directed to consider the same and pass orders in accordance with law, within a period of one week thereafter and communicate the decision taken to the petitioner.



W.P.(MD)No.3014 of 2023

WEB COPY

6. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] [L.V.G., J.]
15.02.2023

NCC : Yes / No
Index : Yes / No
vsm



WEB COPY



W.P.(MD)No.3014 of 2023

D.KRISHNAKUMAR, J.
and
L.VICTORIA GOWRI, J.

vsm

W.P.(MD)No.3014 of 2023

15.02.2023