



WEB COPY



W.P(MD)No.11730 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)No.11730 of 2023
and
W.M.P(MD)Nos.10171 and 10998 of 2023**

G.Valarmathi

... Petitioner

-vs-

The Authorised Officer,
State Bank of India,
RASMECCC, "Madhura Complex"
No.2, Ambedkar Road, Ground Floor,
Zonal Office Building, Madurai-625002.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order in S.A.No.256/2019 on the file of the Debts Recovery Tribunal, Madurai, dated 18.04.2023 and quash the same as illegal.

For Petitioner : Mr.J.Jeyakumaran
For Respondent : Mr.P.Pethu Rajesh

ORDER

[Order of the Court was made by S.VAIDYANATHAN, J.]

Yesterday(04.07.2023), when the matter was taken up for hearing, this Court suggested for arriving at a compromise as educational loan has been given to a student.



2. Today, when the matter is taken up for hearing, the learned counsel appearing for the Bank would submit that the officer in-charge who has been asked to appear before this Court through video conferencing, is held up in a meeting and he has already communicated to the officer about the suggestion made by this Court and that it has got to be routed through the concerned Head Office for getting clearance. However, he would submit that the amount due to the Bank is Rs.34 Lakhs and that the petitioner has paid only Rs.8 Lakhs.

3. Learned counsel for the petitioner would submit that he is willing to pay Rs.25 Lakhs *in toto* which is inclusive of the amount already paid in order to give a quietus to the entire matter.

4. Learned counsel appearing for the Bank also stated that they will not take any coercive action for a period of one month, provided, the petitioner gives OTS proposal within a period of one week from the date of receipt of a copy of this order and within two weeks from the date of receipt of the representation for OTS, a decision will be taken and communicated to the petitioner.

5. Though the entire issue has got to be tried only before the Debts Recovery Tribunal, in view of the above submission made by the parties concerned which we expect that it will be fruitful, we dispose of the



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writ petition with a direction to the petitioner to make a representation for one time settlement within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, a decision shall be taken and communicated to the petitioner within a period of two weeks thereafter. In case, the petitioner is aggrieved, it is open to the petitioner to question the same in accordance with law. No costs. Connected miscellaneous petitions are closed.

[S.V.N., J.] [D.B.C., J.]
05.07.2023

Index : Yes / No
Neutral Citation : Yes / No
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