



W.P.(MD) No.18174 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2023

CORAM:

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE P.VADAMALAI

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Kala

... Petitioner

-VS-

1.The Authorised Officer
Manapuram Home Finance Limited,
141A, 142, 1st Floor, SVSK Tower
Alagar Koil Road, Thallakulam
Madurai 2

2.The Branch Manager,
Manapuram Home Finance Limited,
141A, 142, 1st Floor, SVSK Tower,
Alagar Koil Road, Thallakulam
Madurai 2

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the respondent to receive two demand drafts dated 09.05.2023 taken in favour of the respondent financial institution for Rs.4,00,000/- each (DD No.817638 & 817639, Indian Bank, South Masi Street



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Branch) and receive the same as one time settlement towards the petitioner's loan account No.SMADU0003890 vide confirmation E-mail dated 09.05.2023 and close the same and also direct the respondents to unlock the petitioner's house property at SY No.33/8A Nadupatti, Usilampatti, NR Government School Madrai, and return the original documents to her within a time frame as fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondent : Ms.K.Vidya

ORDER

**[Order of the Court was made by
The Hon'ble The CHIEF JUSTICE]**

We have heard Mr.S.Sukumar, learned counsel for the petitioner and Ms.K.Vidya, learned counsel for the respondent Bank.

2. The learned counsel for the petitioner states that the bank had accepted the offer of the petitioner for One Time Settlement at Rs.8 lakhs and issued an E-mail on 09.05.2023. However, the bank is not accepting the amount. This Court, relying upon the said statement, passed an order on 27.07.2023.



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3. The learned counsel for the Bank submitted that the bank has filed a counter and has confirmed that the E-mail relied upon by the petitioner dated 09.05.2023 is a fake E-mail. The same is not a genuine one. An amount of Rs.10,66,000/- is outstanding against the petitioner as on 09.08.2023.

4. Be that as it may, this Court in its writ jurisdiction would not embark upon the investigation as to whether the E-mail is fake or not. The difference in the amount is also not much. It is for the petitioner to approach the Bank and it is for the Bank to consider the request of the petitioner on its own merits. Accordingly, the writ petition is disposed of. However, there is no order as to costs.

[S.V.G., CJ.]

[P.V.M, J.]

28.08.2023

NCC : Yes / No
Index : Yes / No

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and
P.VADAMALAI, J.

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