



W.P(MD)No.4767 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4767 of 2016

Gnana Arputha Mani

... Petitioner

Vs.

The Branch Manager (04881),
State Bank of India,
Tirunelveli ADB,
Sc/1, Thiruvananthapuram Road,
Tirunelveli.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to forthwith examine petitioner's account in account No.10375694532 and to set right the excess amount charged and further provide the benefit of OTS proposal dated 31.10.2014 and consequently refund the excess amount collected from the petitioner by considering his representation dated 29.11.2014 and 15.02.2016 with the time frame stipulated by this Court.

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For Petitioner : Mr.G.Mohankumar

For Respondent : Mr.M.Ponniah,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.The petitioner had availed agricultural tractor loan from the respondent bank. The petitioner committed default. The grievance of the petitioner is that she was eligible to get the benefit under one time settlement scheme. According to the petitioner, the banker identified her as a beneficiary but without disclosing the same to the petitioner, the petitioner was made to clear the entire liability. The petitioner's counsel would characterize this as an unfair banking practice. That led to the filing of this writ petition.

3.I am of the view that matters such as this cannot be the concern of the Writ Court. Be that as it may, the learned standing counsel for the bank states that the petitioner's grievance will be appropriately



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considered by the respondent herself. According to the respondent, if the petitioner was entitled to one time settlement scheme, the bank will not hesitate to extend the same. Merely because the petitioner had cleared the liability, the same will not be put against her. The entire exercise of scrutinizing the petitioner's account in the light of the one time settlement proposal dated 31.10.2014 will be completed and final order passed within a period of four weeks from the date of receipt of a copy of this order.

4.Recording the submission made by the learned standing counsel for the bank, this writ petition is disposed of. No costs.

07.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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