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W.P.No.15439 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN  
AND  
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

**W.P.No.15439 of 2020**  
**and**  
**W.M.P.No.19642 of 2020**

M/s.Sabarivasan Hardware Stores,  
Represented by Proprietor  
N.Ponsingh, age 51 years,  
S/o.Natesan Nadar,  
No.881/5, MTH Road,  
Padi, Chennai – 600 050.

... Petitioner

Vs.

1.The Chairman,  
Indiabulls Housing Finance Limited,  
Indiabulls House, 448-451, Udyog Vihar, Phase – V,  
Gurugram – 122 001 Haryana State.

2.The Branch Manager,  
Indiabulls Housing Finance Limited,  
1<sup>st</sup> Floor, Apex Chambers,  
Sir Thigaraya Road,  
Parthasarathi Puram,  
T.Nagar, Chennai – 600 017.

... Respondents



**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to consider petitioner's OTS One Time Settlement offer letter dated 23.10.2019 in respect of loan account No.HLAPVLC00336024 within a stipulated time.

For Petitioner : Mr.N.Naganathan  
For Respondents : Mr.R.Saravanan  
for Mr.T.Sai Krishnan

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### **J U D G M E N T**

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

The prayer in the writ petition reads as follows:-

*“Praying to issue a writ of Mandamus directing the respondents to consider petitioner's OTS One Time Settlement offer letter dated 23.10.2019 in respect of loan account No.HLAPVLC00336024 within a stipulated time.”*

2. It is the settled law that acceptance or rejection of the One Time Settlement is entirely within the domain of the financier and this Court cannot issue a direction under Article 226 of the Constitution of India. Apart



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from that the learned counsel for the respondent would submit that the One Time Settlement offer made by the petitioner has already been rejected by the financier.

3. Hence, we see no merits in the writ petition, the writ petition therefore fails and it is accordingly **dismissed**. The learned counsel for the Bank has furnished a copy of the rejection order to the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M., J.) (R.S.V., J.)  
25.04.2024

dsa  
Index : No  
Internet : Yes  
Neutral Citation : No  
Non-Speaking order



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To

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Indiabulls Housing Finance Limited,  
Indiabulls House, 448-451, Udyog Vihar, Phase – V,  
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2.The Branch Manager,  
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**R.SUBRAMANIAN, J.**  
**and**  
**R.SAKTHIVEL, J.**

dsa

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**25.04.2024**