



WEB COPY



WP.No.25597/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WP.No.25597/2024

G.Vijaya Kumar Babu

... Petitioner

Vs.

1.The Manager

Kotak Mahindra Bank Ltd
Srinivasa Bavan, 3rd Floor
1050/1, Avinashi Road
Coimbatore 641018.

2.Kotak Mahindra Bank Ltd

8th Floor, TVH Agnitio Park
141, Old Mahabalipuram Road
Kandanchavadi, Chennai 600 096.

3.Kotak Mahindra Bank Ltd

Registered Office 27 BKC,
C27, G Block, Bandra Kurla Complex
Bandra [E] Mumbai 400 051.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for



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issuance of Writ of mandamus directing the respondents Bank to consider the representation dated 31.07.2024 for One Time Settlement into the tune of Rs.32,00,000/- towards the debts in the Loan A/c No.HF-26742394 and HF-37317311 and for the closure of the said loan accounts with the respondent bank.

For Petitioner : Mr.A.Parthasarathy

ORDER

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

- (1)The present writ petition has been filed by the petitioner for issuance of a writ of mandamus to direct the respondents Bank to consider the petitioner's representation dated 31.07.2024 for One Time Settlement.
- (2)Though the petitioner has come forward with an offer that he is prepared to pay upto Rs.32 lakhs towards the remaining amount, this Court is unable to grant any relief to the petitioner as the petitioner himself admits that the respondents/Bank has obtained an Arbitral Award dated 05.11.2022 wherein the petitioner was directed to pay a sum of Rs.7,53,333.57p. with interest at 18% per annum. It is in the said circumstances, when the quantum has already been decided, this Court cannot direct the respondents/Bank to consider the representation of the



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petitioner for One Time Settlement. It is open to the petitioner to approach the Bank on his own and this Court does not find a legal obligation or a statutory duty on the respondent Bank to consider the petitioner's representation.

(3) Hence, this writ petition stands **dismissed as devoid of any merits.**

However, it is open to the petitioner to approach the respondents/Bank. No costs.

[S.S.S.R., J.] [K.R.S., J.]
06.09.2024

AP

Internet : Yes

To

1. The Manager
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S.S. SUNDAR, J.,



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K.RAJASEKAR, J.,

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