



W.P.(MD) No.12944 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2024

CORAM:

**THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD) No.12944 of 2024

and

W.M.P.(MD) No.11492 of 2024

Sri Selva Vinayaka Engineer
rep.by its Proprietor V.Mani
S/o.G.Veerappan
No.27/5, 27/6, 27/7
Rasipuram Road
Mathur, Pudukottai-622 515

... Petitioner

-VS-

- 1.The Authorized Officer
Canara Bank
Asset Recovery Management Branch
1st Floor, Regional Office Building
Muthaiah Towers
Willaims Road, Trichy
- 2.The Chief Manager
Canara Bank
Asset Recovery Management Branch
1st Floor, Regional Office Building
Muthaiah Towers
Willaims Road, Trichy



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3.The Branch Manager
Canara Bank
Cantonment Branch
Madurai Road, Trichy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to extent the time limit for a period of six months with regard to the full and final settlement of OTS amount referred to by him through sanction order dated 30.11.2023 relating to the petitioner's loan account No.1223261100008.

For Petitioner : Mr.R.Anand

For Respondents : Mr.C.Deepak
Standing Counsel

ORDER

R.MAHADEVAN, A.C.J.
And
G.R.SWAMINATHAN, J.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent – Bank.

2. The petitioner had availed loan from the respondent – Bank. He committed default. The respondent – Bank had accepted the petitioner's



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offer of one time settlement. It is seen that the petitioner did not act to clear the liability in terms of the one time settlement order. The petitioner has come before this Court seeking extension of time.

3. As rightly pointed out by the learned Standing Counsel for the respondent – Bank, these are all matters, in which Writ Court would not be justified in issuing directions. It is well settled that it is for the creditor to decide whether to offer OTS or not. It is for the petitioner to approach the respondent – Bank and it is for the respondent – Bank to take a call in the matter.

4. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., A.C.J.] [G.R.S., J.]

19.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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