



W.P.(MD)No.28976 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.28976 of 2024

Karthigai Selvi

: Petitioner

Vs.

1.The Punjab National Bank,
Rep. by its Authorized Officer,
Circle Office, PNB House,
Trichy – Tanjore Road, Trichy – 14.

2.The Branch Manager,
The Punjab National Bank,
Sivagangai Branch, Sivagangai.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to consider the One Time Settlement (OTS) proposal of the petitioner dated 16.11.2024 in respect of the loan availed by the petitioner by receiving the outstanding dues as per the OTS proposal and issue due receipt by closing the mortgage loan pertains to the properties comprised in S.No.118/1 part, Plot No.



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38, to an extent of 1655 sq.ft situated in Sri Valli Amman Nagar, Poovali Village, Sivagangai Taluk and another property comprised in S.No.90/6 Part, New T.S.No.9/5a part, Plot No.20 to an extent of 1420 ½ sq.ft in Kathattivayal Village, Melavaniyangudi, Sivagangai District, within a time as framed by this Court.

For Petitioner : Mr.A.Mohan

ORDER

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

When an alternate and efficacious remedy is available to the petitioner before the Debt Recovery Tribunal under the SARFAESI Act, the writ petition cannot be maintained under Article 226 of the Constitution of India. Accordingly, the Writ Petition stands dismissed, with liberty to the petitioner to approach the Debts Recovery Tribunal within a period of one [1] week from the date of receipt of a copy of this order. Till such time, no coercive steps shall be taken by the respondents. There shall be no order as to costs.

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

04.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
W.P.(MD)No.28976 of 2024

04.12.2024