



WEB COPY

WP No. 8907 of 21



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 11-09-2025**

CORAM

**THE HONOURABLE MR JUSTICE M.DHANDAPANI**

**WP No. 8907 of 2021**

P.Muthusamy

Petitioner(s)

Vs

1. The General Manager  
State Bank of India (Head Office),  
No.16, College Road,  
Nungambakkam, Chennai 6

2.The Regional Manager,  
State Bank of India, Fort Main Road,  
Salem

3.M/s.BFI Factoring Services Limited,  
A.B.House, 2nd Floor, No.116/154,  
Kutchery Road, Chennai 4

4.The Branch Manager,  
State Bank of India, Attur Branch,  
Kamarajar Road, Attur, Salem District  
636102

Respondent(s)



**PRAYER**

Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus to direct the respondents either jointly or severally to implement the waiver scheme to petitioner loan A/c.No.30747386672 in terms of Circular dated 12.10.2020

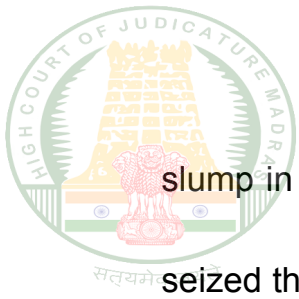
For Petitioner : Mr.P.Ganapathy

For Respondent(s): Mr. M. Devaraj,  
For R1,R2 and R4

**ORDER**

This Writ Petition is filed to direct the respondents either jointly or severally to implement the waiver scheme to petitioner loan A/c.No.30747386672 in terms of Circular dated 12.10.2020.

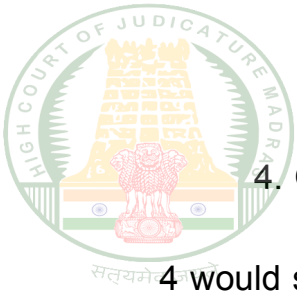
2. The case of the petitioner is that the petitioner has approached the 4<sup>th</sup> respondent for financial assistance to do agricultural activities for purchase of tractor and harvester machines and accordingly, a sum of Rs.10 Lakh was sanctioned on 24.11.2009 in loan account and he was directed to deposit the title deeds for the amount due and payable. The petitioner had paid a sum of Rs.3,10,000/- on different occasions but did not repay the loan amount due to



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slump in agriculture. The respondents without putting the petitioner on notice, seized the harvester machine on 24.01.2013 and the same was sold by public auction for a sum of Rs.3,10,000/- on 11.07.2015. The main grievance of the petitioner is that the respondents-bank, being public sector bank is bound by the Rule of Law, but sold the harvesting machine in public auction without even putting the petitioner on notice, in this regard, the petitioner made a representation on 03.07.2018 requesting the 4<sup>th</sup> respondent to send the harvesting machine, since the same was not considered, the petitioner filed a Writ Petition no.17367 of 2016 and the same was disposed on 03.07.2018 directing the petitioner to approach the bank for an amicable settlement and the petitioner offered a sum of Rs.5 Lakhs as one time settlement, however, the same was not considered, hence the present writ petition is filed.

3. The learned counsel for the petitioner would submit that this Court may permit the petitioner to make a representation to the bank for one time settlement within a period of two weeks, if such representation is filed, the respondents may be directed to consider the said representation and pass appropriate orders.



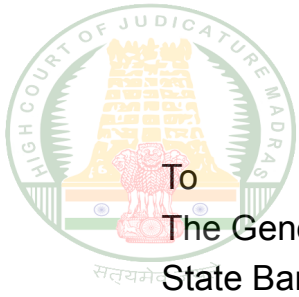
4. On the other hand, the learned counsel for the respondents 1, 2 and 4 would submit that the petitioner's representation for one time settlement will be considered and appropriate orders will be passed, as per the existing schemes.

5. Considering the facts and circumstances of the present case and the submissions made on either side, this Court is inclined to direct the petitioner to submit a detailed representation requesting for one time settlement along with a copy of this order to the respondents within a period of two weeks from the date of receipt of copy of this order and on receipt of the same, the respondents-Bank shall consider the said representation to be filed by the petitioner and pass appropriate orders within a period of six weeks thereafter.

Accordingly, the present Writ Petition is disposed of. No costs.

**11-09-2025**

Index:Yes/No  
Speaking/Non-speaking order  
Internet:Yes  
Neutral Citation:Yes/No  
ssd



To

The General Manager

State Bank of India (Head Office),

No.16 College Road, Nungambakkam,

Chennai 600 006

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**M.DHANDAPANI J.**

ssd

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**11-09-2025**