



W.P(MD)No.14037 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.05.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
AND
THE HONOURABLE MR.JUSTICE R. SAKTHIVEL**

W.P(MD)No.14037 of 2025

Kavitha

... Petitioner

Vs.

The Indian Bank,
Kumbakonam Mutt Street Branch,
No.88, Mutt Street, Kumbakonam,
Thanjavur District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to restructure the petitioner's loan Account No. 644446844 by considering the petitioner's representation dated 07.04.2025.

For Petitioner : Ms.C.Geetha

For Respondent : Mr.C.Karthick



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ORDER

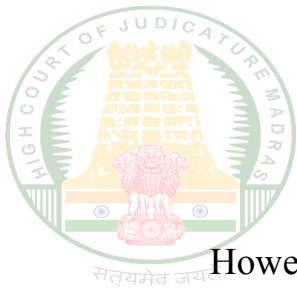
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[Order of the Court was made by M.DHANDAPANI, J.]

This writ petition has been filed seeking a direction to the respondent to restructure the petitioner's loan Account No.644446844 by considering the petitioner's representation dated 07.04.2025.

2. Heard Ms.C.Geetha, learned counsel for the petitioner and Mr.C.Karthick, learned counsel taking notice on behalf of the respondent.

3. The learned counsel for the petitioner would submit that the petitioner's husband borrowed loan from the respondent-Bank and the petitioner was regular in remitting the payments. However, due to financial crisis, she committed default in repayment of the loan dues. Therefore, the respondent-Bank initiated SARFAESI proceedings and classified the loan account as Non-Performing Asset even without notice to the petitioner. Now, the petitioner wants to settle the loan dues by way of One Time Settlement (OTS) for which the petitioner sent a cheque to the respondent-Bank for a sum of Rs.5,00,000/- to facilitate the OTS.



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However, the same was returned. Therefore, the representation dated 07.04.2025 was made to the respondent. However, the same was not considered till date. Hence, the writ petition.

4. Learned counsel for the petitioner would further submit that this Court may issue a direction to the respondent to consider the petitioner's application for OTS dated 07.04.2025 in the manner known to law.

5. Per contra, the learned counsel appearing for the respondent would submit that pursuant to the representation dated 07.04.2025, order was passed on 15.04.2025 by returning the cheque on the ground that the property was sold in favour of third party and the loan account was closed.

6. In view of the above, no further adjudication is required in this writ petition and the same is disposed of. However, liberty is granted to the petitioner to workout her remedy in the manner known to law. There shall be no order as to costs.

[M.D.I., J.] [R.S.V., J.]
08.05.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No
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and
R. SAKTHIVEL, J.

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