



**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

DATED THIS THE 21ST DAY OF FEBRUARY, 2024

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.100670 OF 2024 (GM-RES)

BETWEEN:

1. GODAVARTHI ADINARAYANA S/O CHINNAPALLAYYA
AGE. 55 YEARS, OCC. AGRIL/BUSINESS
R/O. HOSAKERA CAMP HOSAKERA
TQ. GANGAVATHI, DIST. KOPPAL.
2. P SOMARAJ S/O CHANDRARAO
AGE. 48 YEARS, OCC. AGRIL,
R/O. HOSAKERA CAMP HOSAKERA
TQ. GANGAVATHI, DIST. KOPPAL.
3. G VARALAKSHMI W/O CHINNAPALLAYYA
AGE. 75 YEARS, OCC. AGRIL,
R/O. HOSAKERA CAMP HOSAKERA
TQ. GANGAVATHI, DIST. KOPPAL.
4. K ASHOK NAYAK S/O LINGAPPA NAYAK
AGE. 32 YEARS, OCC. AGRIL,
R/O. HOSAKERA TQ. GANGAVATHI,
DIST. KOPPAL.
5. MAHANTESH S/O JAGANNATHAPPA
AGE. 65 YEARS, OCC. AGRIL,
R/O. HOSAKERA, TQ. GANGAVATHI
DIST. KOPPAL.
6. G JAYESH S/O ADINARAYANA
AGE. 32 YEARS, OCC. AGRIL,
R/O. HOSAKERA CAMP HOSAKERA
TQ. GANGAVATHI, DIST. KOPPAL.
7. G NAGAMANI W/O ADINARAYANA
AGE. 48 YEARS, OCC. AGRIL,





R/O. HOSAKERA CAMP HOSAKERA
TQ. GANGAVATHI, DIST. KOPPAL.

...PETITIONERS

(BY SRI. SHARAD V MAGADUM, ADVOCATE)

AND:

THE CANARA BANKBRANCH GANGAVATHI
TQ. GANGAVATHI, DIST. KOPPAL-583227.
BY ITS CHIEF MANAGER.

...RESPONDENT

(BY SRI. RAKESH BILLI, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED ENDORSEMENTS DATE 22/9/2023 BEARING REF NO. 0547/G. ADINARAYAN/NPL, 0547/G VARARLAKSHMI /NPL, 0547/G. ADINARAYAN/NPL 0547/K ASHOK/NPL, 0547/G JAYESH/NPL, 0547/G. NAGAMANI/NPL. VIDE ANNEXURE-C SERIES AND ETC.

THIS WRIT PETITION, COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

1. The petitioners are before this Court seeking for the following reliefs:

- a. Issue writ in the nature of Certiorari and quash the impugned endorsements dated 22.9.2023 bearing Ref No.0547/G. Adinarayan/NPL, 0547/G Varalakshmi/NPL, 0547/G Adinarayan/NPL 0547/K Ashok/NPL, 0547/G Jayesh/NPL, 0547/G Nagamani/NPL vide Annexure-C series.*
- b. Issue writ in the nature of mandamus directing the respondent bank to consider the representation at Annexure-C series and provide OTS scheme to the petitioners.*



C. Issue any other writ or direction as deem fit by the this Hon'ble Court in the interest of justice and equity.

2. Sri.SharadV.Magadum., learned counsel for the petitioner submits that he would not press prayer No.1 above and would only seek for orders in respect of prayer No.2.
3. Prayer No.2 relates to a representation submitted by the petitioner for consideration of a one-time settlement on 9.1.2023.
4. The said OTS proposal has neither been accepted nor rejected by the respondent-Bank. In that view of the matter, I pass the following;

ORDER

- i. The writ petition is ***allowed***.
- ii. A mandamus is issued directing respondents to consider the representation of the petitioner, dated 9.1.2023 at Annexure-C within a period of 30 days or the date of receipt of the copy of



this order either accepting or rejecting the proposal.

- iii. If the proposal is rejected, it will necessarily have to be followed by reasons considering that the proposal was given one year ago. The petitioner is also permitted to furnish a fresh proposal within one week from today.

Sd/-
JUDGE

SR/List No.: 1 SI No.: 36