

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2015

CORAM:

THE HONOURABLE MR. SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

Writ Appeal No. 632 of 2011

1. The Tamil Nadu Industrial Investment
Corporation Limited
rep. by its Managing Director
692, Anna Salai, Nandanam
Chennai 600 035.

2. Tamil Nadu Industrial Investment
Corporation Limited
Shri PPKA Complex, 2nd Floor
45, Shanmugaraja Road
Karaikudi - 630 002.

... Appellants

vs.

1. Sree Uma Type Foundry
rep. by its Managing Partner
212/1C2, Keelakkattu Road
Singampunari 630 502.

2. Small Industries Development
Bank of India
Vikas Deep, 6 & 7th Floor
22, Station Road
Lucknow 226 019.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 29.10.2010 passed by the learned Single Judge, in Writ Petition No. 2894 of 2004 on the file of this Court.

Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus directing the Respondents to give effects to the circular dated 08.05.1995 of the Second Respondent by way of reducing the rate of interest from 18.75% to 13.5% in respect of petitioner's term loan.

For Appellant : Mr. K.V. Sundararajan
For Respondents : M/s. Ganesh & Ganesh for R2
No Appearance for R1

J U D G M E N T

(Delivered by The Hon'ble The Chief Justice)

Learned counsel for the appellant states that in the impugned order dated 29.10.2010 passed by the learned Single Judge, the only error was that the directions in para 8 should have been applied to both the respondents therein (the appellant and the second respondent herein), as without the same, the payment to the first respondent would be difficult.

2. Learned counsel has also drawn our attention to the order passed in other similar matter being Writ Appeal No.2074 of 2003 dated 06.02.2007 holding that persons similar to first respondent are entitled to benefit which had been passed on.

3. We see no purpose in keeping the matter pending and thus, with the aforesaid modification in para 8 of the impugned order coupled with the directions passed in Writ Appeal No.2074 of 2003, dispose of the present appeal, making it clear that if the second respondent requires certain information, the same can be sought for from the appellant.

4. The writ appeal accordingly stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

ATR

Sub Assistant Registrar

WEB COPY

To

1. The Tamil Nadu Industrial Investment
Corporation Limited
rep. by its Managing Director
692, Anna Salai, Nandanam
Chennai 600 035.

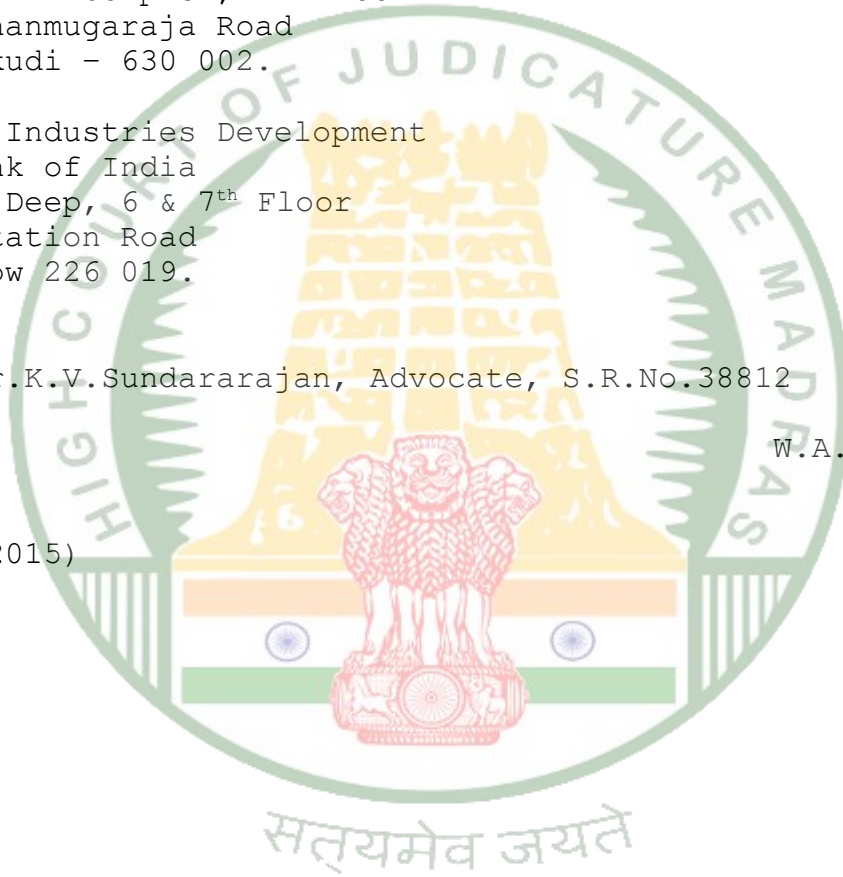
2. Tamil Nadu Industrial Investment
Corporation Limited
Shri PPKA Complex, 2nd Floor
45, Shanmugaraja Road
Karaikudi - 630 002.

3. Small Industries Development
Bank of India
Vikas Deep, 6 & 7th Floor
22, Station Road
Lucknow 226 019.

+1cc to Mr.K.V.Sundararajan, Advocate, S.R.No.38812

W.A. No. 632 of 2011

VD(CO)
CA(11/08/2015)



WEB COPY