

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.11273 of 2015

J.Gopalakrishnan
Proprietor
Sri Radha Enterprises
No.3/45, Jamalpuram Road
Sembedu
Vellore 632 002.

...Petitioner

vs

The Branch Manager
Canara Bank
Sripuram Branch
Vellore 632 055

...Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent bank to process the application dated 24.12.2014, submitted by the petitioner for availing additional loan of Rs.20 lakhs for the purpose of bringing the MSME Unit Manufacturing packaged drinking water into operation.

For Petitioner : Ms.M.R.Sakunthala

For Respondent : Mr.Joseph Augustine

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he availed a term loan of Rs.15 lakhs and also over draft facility of Rs.10 lakhs from the respondent-bank towards working capital, in connection with the herbal water project, and has also furnished security of his land and building and the present market value of the property is about Rs.90 lakhs. The petitioner would further claim that in addition to the term loan of Rs.15 lakhs, he has also invested another Rs.15 lakhs for establishing the said Unit and as per the orders of the

Government of Tamil Nadu, they were forced to stop the production of drinking water by herbal method, in terms of the stay order passed by the Southern Region Bench of National Green Tribunal, and the Government of Tamil Nadu also insisted him to change the license from herbal method to packaged drinking water by getting necessary certification from Indian Standard Institute (ISI). The petitioner for the said purpose, is in requirement of additional loan of Rs.20 lakhs and in this regard, has submitted an application on 24.12.2014, by complying with all formalities and since the said application has not been disposed of, came forward to file this writ petition.

3.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.Joseph Augustine, learned Counsel, who accepted notice for the respondent-Bank.

4.Though the petitioner has prayed for a larger relief, this Court, in the facts and circumstances of the case, directs the respondent-bank to consider the application dated 24.12.2014, submitted by the petitioner, seeking additional loan, in accordance with the terms and regulations, and pass orders thereon as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

nsv

To

The Branch Manager
Canara Bank
Sripuram Branch
Vellore 632 055

1 CC to Mr.T.P. Prabakaran, Advocate SR.No. 21717

W.P.No.11273 of 2015

TM (CO)

PSI (30.04.2015)