

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.11649 of 2011

ORDER:

Heard learned counsel for the petitioner and Mr.A.Krishnam Raju.

The petitioner prays for Mandamus declaring the action of respondents in not releasing the balance loan amount to him in Account Nos. 722/1787 and 721/84 as illegal and arbitrary.

In the considered opinion of this Court, the reference to the detailed case set out by the petitioner is not useful to consider the writ prayer within the four corners of a writ of Mandamus under Article 226 of the Constitution of India.

This Court by way of Mandamus cannot direct the respondents to release the balance loan amount and it is a matter governed by the terms of contract, performance of reciprocal promises etc. There is no absolute or statutory right vested in petitioner to enforce the right.

On the ground that the prayer as made cannot be considered, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

S.V. BHATT, J

Date: 22.01.2015

KLP