

**HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No. 2765 of 2009**

**ORDER:**

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As there was no representation on behalf of the petitioner on 22.09.2015 the matter was directed to be listed to 23.09.2015 under the caption "for dismissal". In spite of matter being posted under the caption "for dismissal" there was no representation on behalf of the petitioner on 23.09.2015. As a final chance the same was listed today under the same caption. Even today there is no representation on behalf of the petitioner either in the morning or in afternoon session. Heard learned Standing Counsel appearing for the respondents and perused the record.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in harassing the petitioner by adopting illegal methods as arbitrary, unconstitutional and violative of principles of natural justice; and consequently direct the respondents not to harass the petitioner with regard to the loans taken and credit cards used from the respondent banks without following due process of law.

The petitioner is alleged to have taken loans from the respondent banks in the year 2007 and paid E.M.I. till December, 2008 and subsequently, due to financial constraints, could not pay the amounts. It is stated that the respondent banks started sending anti-social elements to the house of the petitioner, who started threatening the petitioner and his family members and without following the due process of law are trying to recover the amount by illegal methods. Challenging the action of the respondent banks the present writ petition came to be filed.

On 13.02.2008 while admitting the writ petition, this Court directed the petitioner to pay Rs.25,000/- to respondent Nos.2 and 3 within a period of one week and the respondents are directed not to harass the petitioner.

A perusal of the affidavit filed in support of the writ petition is silent as to the date, time and place as to where the respondents are alleged to have sent anti-social elements and harassed the petitioner. The affidavit is quite vague

without any details of either loan taken or instalments paid.

Having regard to the circumstances stated above and since there is no representation on behalf of the petitioner on any of the occasion, the writ petition is dismissed. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

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**JUSTICE C. PRAVEEN KUMAR**

29.09.2015

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