

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M. VENUGOPAL

W.P.Nos.4849 to 4851 of 2016

R. Kokila Petitioner
(In WP No.4849/2016)

M.S.K. Rameshraj Petitioner
(In WP No.4850/2016)

K. Srinivasan Petitioner
(In WP No.4851/2016)

Vs

1. Indian Overseas Bank
rep. By its Senior Manager,
Hi-Tech Agro Branch,
E Shakthi Towers-I,
3rd floor, No.766 Snna Salai,
Chennai.2.

2. The Authorised Officer,
Indian Overseas Bank
Hi-Tech Agro Branch,
E Shakthi Towers-I,
3rd floor, No.766 Snna Salai,
Chennai.2.

3. National Bank for Agriculture
and Rural Development rep. By its
Assistant General Manager,
48 Mahatma Gandhi Road,
Nungambakkam,
Chennai.34.

...Respondents (In all W.Ps.)

Writ petition in WP No. 4849 of 2016 filed under Article 226 of the Constitution seeking for the issuance of a writ of mandamus to direct the first respondent to rephrase/ reschedule the loan account No.320700014 and 320700017 by considering the petitioner's representation dated 15.12.215.

Writ petition in WP No. 4850 of 2016 filed under Article 226 of the Constitution seeking for the issuance of a writ of mandamus to direct the first respondent to rephrase/ reschedule the loan account No.320700015 and 321000010 by considering the petitioner's representation dated 15.12.215.

Writ petition in WP No. 4851 of 2016 filed under Article 226 of the Constitution seeking for the issuance of a writ of mandamus to direct the first respondent to rephrase/ reschedule the loan account No.320800004 and 321000011 by considering the petitioner's representation dated 15.12.215.

For Petitioner/s
in all WPs : Mr. V. Raghavachari
for
Mrs. Selvi George

For Respondents : Mr. F.B. Benjamin George

COMMON ORDER

(Order of the Court was delivered by SATISH K. AGNIHOTRI,J.,)

Heard the learned counsel for the petitioner and the learned counsel for the respondents. with the consent of the learned counsel for the parties, the writ petition is taken up for final disposal.

2. The petitioners, who are admittedly borrowers, have come up with these writ petitions seeking a direction to the respondents-Bank to consider their representation dated 15.02.2015 for re-scheduling the payment of outstanding loan amount.

3. On the last date of hearing, it was brought to our notice that the date fixed for auction was cancelled as no bidder had come forward to take part in the auction. The Bank has not taken any decision to put the secured assets on auction for sale, thereafter.

4. At this stage, if the petitioners make a representation for re-scheduling the payment of outstanding loan amount, it is for the Bank to consider the same and take a decision. Accordingly, we grant further one week time, as requested by the learned counsel for the petitioners, to make a fresh representation for re-scheduling the payment of loan amount. In the event, such a representation is made by the petitioners, the Bank is directed to consider the same, keeping in view, the interest of the borrowers as well as the Bank.

5. Resultantly, all the writ petitions are disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ra.

To

1. Senior Manager,
Indian Overseas Bank
Hi-Tech Agro Branch,
E Shakthi Towers-I,
3rd floor, No.766 Snnalalai,
Chennai.2.
2. The Authorised Officer,
Indian Overseas Bank
Hi-Tech Agro Branch,
E Shakthi Towers-I,
3rd floor, No.766 Snnalalai,
Chennai.2.
3. The Assistant General Manager,
National Bank for Agriculture
and Rural Development,
48 Mahatma Gandhi Road,
Nungambakkam,
Chennai.34.

+3ccs to Mrs. Selvi George, Advocate, S.R.No.15227, 15230 and 15231

+1cc to Mr.F.B. Benjamin George, Advocate, S.R.No.14846

+1cc to the Government Pleader, S.R.No.

SCD(CO)
EU(22/03/2016)

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