

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 23.10.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P. (MD) No.18529 of 2017

Pravin Timbers
Rep. by its
Proprietor
Vincent Raj.V

... Petitioner

Vs.

The Senior Branch Manager,
Syndicate Bank,
Neyyoor Branch,
Monday Market,
Kanyakumari District.

... Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 27.09.2017.

For Petitioner : Mr.V.Balamohan Thambi
For Respondent : Mr.Pala. Ramasamy

ORDER

The petitioner, who is engaged in timber business, is before this Court, seeking a writ of mandamus, directing the respondent bank to consider their representation dated 27.09.2017, requesting One Time Settlement for repaying the loan.

2. According to the petitioner, the respondent bank had sanctioned a sum of Rs.4,60,00,000/- (Rupees Four Crore and Sixty Lakh only) as business loan. As the petitioner failed to repay the installment properly, the respondent bank has issued notice dated 14.07.2017, directing them to regularize the loan account. Thereafter, the petitioner sent a representation dated 27.09.2017, requesting the respondent bank for One Time Settlement of their loan account. As the said representation is kept pending, the petitioner is before this Court.

3. The learned Counsel for the petitioner submitted that the account is Non Performing Asset and no such communication, to that effect, has been received by them. It is



further submitted that it would be suffice, if their representation dated 27.09.2017, is disposed of by the respondent, in the manner known to law, within a stipulated time.

4. The learned Counsel appearing for the respondent, on the other hand, stoutly refuted the contentions of the learned Counsel for the petitioner, but he fairly submitted that the representation of the petitioner shall be considered on merits.

5. Under such circumstances, this Court directs the petitioner to appear before the respondent bank on 06.11.2017, along with all required documents and proposed repayment and the respondent is directed to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of two weeks, thereafter.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

The Senior Branch Manager,
Syndicate Bank,
Neyyoor Branch,
Monday Market,
Kanyakumari District.

+ 1 CC TO MR.V.Balamohan Thambi, ADVOCATE IN SR No.83254
+ 1 CC TO Mr.Pala. Ramasamy, ADVOCATE IN SR No.83289
MK/SV MMS/SAR-2/30.10.2017/2P/4C

W.P. (MD) No.18529 of 2017
23.10.2017