

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 16.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.6347 of 2013

M.P.No.1 of 2014

R.Seenuvasan

...Petitioner

Vs.

1. The Senior Manager,
Syndicate Bank,
Block No.10, Neyveli.
2. The Regional Manager,
Syndicate Bank,
Armenian Street, Chennai - 1. ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to issue the further loan amount Rs.12,00,000/- (Rupees twelve lakhs only) to the petitioner for construction of Horticulture.

For Petitioner : Mr.K.Srinivasan
For Respondents : Mr.V.Suthakar

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus to direct the respondent-Bank to sanction additional loan of Rs.12,00,000/-.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The case of the petitioner is that he has availed financial facilities from the respondent-Bank of sum of Rs.25,00,000/- for doing Horticulture and provided security worth of Rs.76,30,000/-. Thereafter, the petitioner established the Horticultural infrastructure. However, in the Thane Cyclone, all the Horticulture and agricultural crops were damaged. Hence, the petitioner approached the respondent-Bank seeking additional loan. Since it was not considered, the present writ petition.

4. The learned counsel for the petitioner submitted that the property worth Rupees One Crore was given as security to the respondent-Bank at the time of availing loan of Rs.25,00,000/- and the respondent in an arbitrary manner refused to sanction additional loan.

5. The learned counsel for the respondent submitted that the petitioner failed to repay the loan amount of Rs.25,00,000/- and the account of the petitioner became Non-Performing Asset (NPA). Hence, the petitioner cannot be granted additional loan.

6. It is settled law that this Court cannot issue direction to the Bank to sanction additional loan. Hence, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Senior Manager,
Syndicate Bank,
Block No.10, Neyveli.
2. The Regional Manager,
Syndicate Bank,
Armenian Street, Chennai - 1.

+ 1 cc to MR. V. Sudhakar, Advocate SR.12565

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NM(CO)
EU(16/03/2018)

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