

THE HON'BLE JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.4474 of 2009

ORDER:

The petitioner seeks Writ of Mandamus declaring the inaction of the respondents in forwarding the loan particulars and outstanding details of the petitioner to the Director (H&T) for onward submission to the Government of A.P. to consider his case for loan waiver as illegal and arbitrary and consequently direct the respondents to furnish the loan outstanding details of the petitioner's account "SMAC TEX" to the Director (H&T), Government of A.P. in compliance of Circular Rc.No.2015/08-B, dated 21.11.2008.

2) The petitioner's case is that he is a handloom weaver running the unit SMAC TEX at Satyaveedu, Chittoor District. In order to run the weaving unit he availed financial assistance of Rs.5 lakhs from the respondent—bank which grew to a sum of Rs.20,70,395/- as on 31.03.2003. Due to problems in hand looming sector petitioner could not discharge the loan and therefore, the respondents declared his loan account as Non-Performing Asset (NPA). The respondents filed O.A.No.60 of 2004 before the Debts Recovery Tribunal, Hyderabad. In the meanwhile, the Government of A.P. has envisaged a scheme of waiver of loan granted to the handloom section and issued Circular Rc.No.2015/08-B, dated 21.11.2008 to all the banks/financial institutions including the respondent—bank seeking information about the loan outstanding relating to waivers as on 31.03.2008 to enable them to consolidate and consider waiver of the loan. Having coming to know about the aforesaid scheme petitioner requested the respondents to forward his loan particulars to the Director (H&T) for onward submission to the Government of A.P. to consider his case for waiver of

loan. The petitioner submitted letter dated 20.01.2009 with such request. However, in spite of repeated requests, the respondents have not sent his particulars to the Director (H&T) before 05.03.2009.

Hence, the instant writ petition.

- 3) Respondents served with notice and represented by counsel.
- 4) When the matter came up for hearing, when enquired learned standing counsel for respondents is unable to inform whether the representation of the petitioner was forwarded to the Government or not.
- 5) In these circumstances, this Writ Petition is disposed of with a direction to the respondents to forward the loan particulars of the petitioner to the Director (H&T) for onward submission to the Government of A.P. to consider the case of the petitioner for waiver of his loan within two(2) weeks from the date of receipt of a copy of this order. No costs.

As a sequel, miscellaneous application pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 12.10.2018

Note: Issue CC by Monday.

(b/o)
Murthy