



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD) NO.4746 OF 2019
and
W.M.P (MD) No.3794 of 2019

Messiah Windmill Private Limited,
represented by its Managing Director,
J.Manoj Kamalan,
Son of Joseph Kamalan,
No.495, Mela Sundavilai,
Karungal,
Kanyakumari District.

:Petitioner

.vs.

1.The Branch Manager,
Syndicate Bank,
207 B, May Maligai,
College Road,
Nagercoil,
Kanyakumari District.

2.The Authorized Officer,
Syndicate Bank,
85, WCC College Road,
Nagercoil, Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to regularize the loan account of the Petitioner bearing A/c.No.67827910006178 by receiving default EMI amounts along with interest by considering the representation of the Petitioner, dated 11.2.2019.

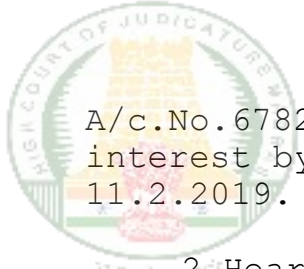
For Petitioner
For Respondents

:Mr.S.C.Herold Singh
:Mr.Pala Ramsamy
Standing Counsel

O R D E R

[Order of the Court was made by **K.KALYANASUNDARAM., J.**]

The Petitioner has come forward with this Writ Petition seeking
<https://hcservices.ecourts.gov.in/hcservices/> issuance of a Writ of Mandamus directing the respondents to
regularize the loan account of the Petitioner bearing



A/c.No.67827910006178 by receiving default EMI amounts along with interest by considering the representation of the Petitioner, dated 11.2.2019.

2. Heard Mr.S.C.Herold Singh, learned counsel appearing for the Petitioner and Mr.Pala Ramasamy, learned Standing Counsel appearing for the respondents/Bank and perused the materials available on record.

3.It is submitted by the learned Standing Counsel appearing for the respondents that for the default made by the Petitioner, the respondents have issued a sale notice, dated 21.2.2019 fixing the auction sale on 28.3.2019. According to the learned counsel for the respondents, the Petitioner is required to pay a sum of Rs.1,10,71,764.78/-. Hence the representation of the Petitioner was not considered by the respondents. We find no merit in the Writ petition filed by the Petitioner.

4.Accordingly, the Writ Petition stands dismissed. No costs. Consequently,connected Miscellaneous Petition is dismissed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The Branch Manager,
Syndicate Bank,
207 B, May Maligai,
College Road,
Nagercoil,
Kanyakumari District.

2.The Authorized Officer,
Syndicate Bank,
85, WCC College Road,
Nagercoil, Kanyakumari District.

+1. C.C. to M/S.Pala Ramsamy, Advocate SR.No. 53415
+1. C.C. to M/S.S.C.Herold Singh, Advocate SR.No. 53213

ORDER MADE IN
W.P (MD) NO.4746 OF 2019
and
W.M.P (MD) No.3794 of 2019
11.03.2019