

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.18568 of 2017

VHM Hospital Pvt.Ltd.,
Rep by its CEO, Dr.J.V.Mahendran,
Plot No.222, No.84/10, Janaki Nagar,
6th Street, Valasaravakkam,
Chennai - 87 ... Petitioner

Vs

- 1 The Chief Manager
State Bank of India, Ekatuthangal,
Chennai 600032
- 2 The Deputy General Manager
Zone I, State Bank of India, Rajaji Salai
Chennai 600 001
- 3 Shri Santhosh Shriram Bakshee
The GM CGTMSC Registered Office Mumbai
1002-1003, 10th Floor, Naman Centre, C-31
G-Blcok, Bandrakurla Complex, Bandra (E)
Mumbai 51 ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to de-link the present loan dated 21.12.2016 from the erroneously sanctioned CGTMSC scheme and club the same with other two term loans sanctioned under the Doctors Plus scheme with interest rate as requested above.

For Petitioner : Dr.A.Thiagarajan, SC
for Mr.S.Ramesh Kumar

For Respondents: Mr.J.Viswanathan
Standing Counsel for RR 1 and 2

M/s.Ganesh and Ganesh for R3

ORDER

The petitioner has filed this petition seeking issue a Mandamus to direct the respondents to de-link the present loan dated 21.12.2016 from the erroneously sanctioned CGTMSC scheme and club the same with other two term loans sanctioned under the Doctor's Plus scheme with interest rate.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. Dr.A.Thiagarajan, learned Senior Counsel appearing for the petitioner, would submit that the loan itself was closed on 06.03.2019. In support of the same, the first respondent-Bank has also furnished a document, which certifies that the dues to the Bank on the said account had been repaid and closed on the said date and the documents relating to mortgaged property had been handed over to Mr.Sathish, representative, AXIS Bank, as per the request of the petitioner.

4. The learned Senior Counsel would also submit that the petitioner had paid certain dues in excess, for which, a grievance letter was also submitted to the Bank on 23.06.2017. In such circumstances, the first respondent-Bank may look into the said grievance and send appropriate reply to the petitioner.

5. In view of the same, nothing survives in the writ petition and the same is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

To

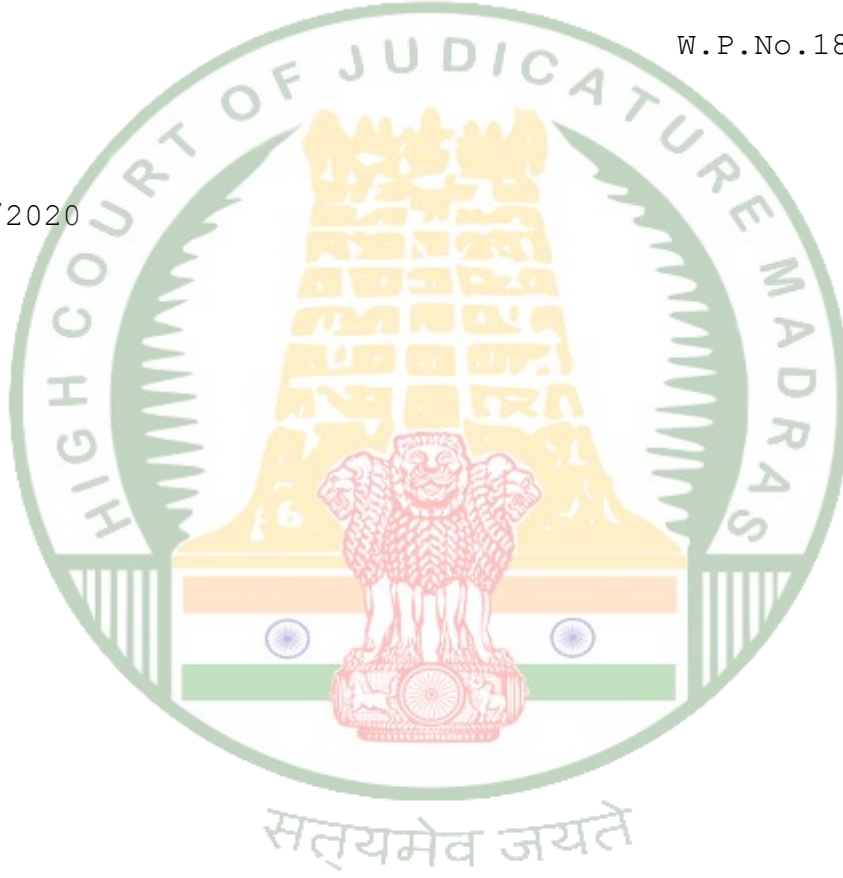
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srg 03/08/2020



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