



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8785 of 2014

and

M.P.No.1 of 2014

The Federal Bank Limited

Br.Chennai / RM Nagar,

No.E5 & E6, Nelson Chambers

Door No.115, Nelson Manickam Road,

Chennai - 600 029.

Represented by Senior Manager N.Natarajan

...Petitioner

Vs

1.M/s.Zylog Systems Limited,

Regd & Corporate Off: No.155

Thiruvalluvar Salai, Kumaran Nagar

Sholinganallur, Chennai - 600 119,

Represented by Managing Director,

Ramanujam Sesharathnam.

2.Sri.Ramanujam Sesharathnam

Managing Director,

Zylog Systems Limited,

Old No.36/37, New No.77

Flat No.10, 'Sugandhi Apartment

Seventh Avenue, Ashok Nagar,

Chennai - 600 083.

3.Sri.Venkatarama Sudarshan

Director,

M/s.Zylog Systems Limited

Old No.36/37, New No.77

Flat No.10, 'Sugandhi Apartment

Seventh Avenue, Ashok Nagar

Chennai.



4. Chief Emigration Officer
Emigration Office
No.26, Shasthri Bhavan
Annexure Haddow's Road
Nungambakkam, Chennai - 600 006.

5. The Passport Officer
Regional Passport Office
No.2 & 3, IV Floor, Rayala Towers
Old No.785, New No.158
Mount Road, Anna Salai, Chennai - 600 002 ... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth and fifth respondents to dispose of the petitioner's representation dated 15.3.2014.

For Petitioner : Mr. David Tyagaraj

For Respondents : Mr. C. A. Theagarajan
[For R1 to R3]

Mr. K. Srinivasamurthy
[For R4 & R5]

O R D E R

The relief sought for in the present writ petition is to direct the fourth and fifth respondents to dispose of the representation dated 15.3.2014, submitted by the petitioner.

2. The petitioner is Federal Bank Limited. They are submitted a representation for impounding the passport of the respondents 2 and 3. The learned counsel for the Central Government made a submission that the respondents 2 and 3 are holding American Passports and further, there are other issues involved in this regard. The petitioner being a Bank, has to workout their remedy in the manner known to law. However, in this nature of disputes, High Court cannot conduct a Roving Enquiry for the purpose of settling the dispute between the parties.

3. The grievance of the petitioner-Bank is that they have



to collect the dues from the respondents. Since, the whereabouts of the respondents 2 and 3 are not known, they have submitted a representation. However, the High Court cannot issue any directions in this sort of ambiguous facts and circumstances. In the absence of clear facts, it may not be possible for the High Court to issue directions.

4. The learned counsel for the petitioner states that the winding up proceedings are in process. Thus, it is for them to initiate appropriate action. Thus, the petitioner is at liberty to workout their remedy in the manner known to law.

5. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.Chief Emigration Officer
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+2cc to Mr.David Tyagaraj, Advocate, S.R.No.52978

W.P.No.8785 of 2014

GJ(CO)
SB(26/10/2021)