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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.31633 OF 2019

S. Annamalai.

...Petitioner

Vs

1. The Chief Manager,
Syndicate Bank,
Corporate office,
II Cross, Gandhi Nagar,
Bangalore, Karnataka.
2. The Zonal Manager,
Syndicate Bank,
No.69, 1st Floor,
Leelavathi Building,
Armenian Street,
Chennai.
3. The Regional Manager,
Syndicate Bank,
NO.16, Kushi Complex,
1st Floor, Arni Road,
Vellore, Vellore District.
4. The Senior Branch Manager,
Syndicate Bank,
No.14, Chetty Street,
Tirupattur,
Vellore District.

...Respondents

PRAYER:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd Respondent to reconsider Petitioner's representation dated 30.12.2016 for the enhancement of the additional loan in loan account No.62517910000487 within stipulated period.



For petitioner : Mr. M. Sathish Kumar
For Respondents : Mr. M. A. Abdul Wahas

ORDER

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The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus, directing the 3rd Respondent to reconsider my representation dated 30.12.2016 for the enhancement of the additional loan in loan account No.62517910000487 within stipulated period.

2. Since no adverse orders are being passed against the Respondents, notice to the Respondents is dispensed with.

3. The case of the petitioner is that the petitioner being a Government contractor who is also carrying on the business of nursery of selling saplings maintaining his bank account in the 4th Respondent branch for the past thirteen years without any default in his repayments. While being so, the petitioner had obtained the loan of Rs.70,00,000/- from the 4th Respondent branch for construction of community hall and the same was sanctioned to him and, the petitioner started to repay the same.

4. It is the further case of the petitioner that he had once again approached the 4th Respondent for enhancement of loan to complete his project, however, the same was denied by the respondents though the petitioner had produced all the requisite documents. Aggrieved by the same, the petitioner made a representation dated 30.12.2016 to the 3rd Respondent with regard to enhancement of the loan as sought for by the petitioner, however, till date, no action has been taken on the said representation. Subsequently, the petitioner made a complaint to the Banking Ombudsman with regard to the issue and the same is pending. Hence, the petitioner has filed the present Writ Petition seeking the above relief.

5. The learned counsel for the petitioner submits that though a series of representations were made by the petitioner with the respondents, till date no action has been taken on his representations and further, the petitioner's account is declared as Non-Performing Asset. Aggrieved by the same, the petitioner left with no other remedy has filed the present Writ Petition.

6. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 3rd Respondent to consider the petitioner's representation dated 30.12.2016 for enhancement



of additional loan and pass appropriate orders within a particular time frame fixed by this Court.

7. The learned counsel for the Respondents has no serious objection to the said order being passed and the petitioner's representation will be considered and appropriate orders will be passed in accordance with law within a particular time frame fixed by this Court.

8. In view of the aforesaid submissions, this Court without going into the merits of the case, issues direction to the 3rd Respondent to consider the petitioner's representation dated 30.12.2016 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

9. This Writ Petition is accordingly disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Chief Manager,
Syndicate Bank,
Corporate office,
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+1cc to Mr.M.Sathish Kumar, Advocate, S.R.No.64437

W.P.No.31633 of 2019

PA (CO)
PM/28/12/2021