



WEB COPY



W.P. No.33327 OF 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.33327 OF 2022

S.Esakkimuthu

... Petitioner

Vs

1.The Secretary to Government
Revenue Department
St.George Fort, Chennai

2.The Chief General Manager
Reserve Bank of India
General Office, Chennai

3.The State of Bank of India
Rep. by its Authorised Officer
Asset Recovery Management Branch
No.44, 1st Floor, Eldams road
Teynampet Chennai 18

4.The State Bank of India,
Rep. by its Manager
SBI PBB Besant Nagar Branch
E159 Anna Besant Nagar
Besant Nagar, Chennai

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the representation dated 14.11.2022 and receive the DD for a sum of Rs.30,50,000/- and to close the transaction and release the documents to the petitioner and pass suitable orders therefore in the nature and circumstances of the case.

For Petitioner

:

Mr.T.I.Ramanathan



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ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition praying for a Writ of Mandamus directing the respondents to consider the representation dated 14.11.2022 and receive Demand Draft for a sum of Rs.30,50,000/- and to close the transaction and release the documents to the petitioner.

2. According to the petitioner, the petitioner offered to settle the amount by making a payment of Rs.40 lakhs towards the dues to the bank and the bank, vide its letter dated 03.06.2022, has accepted the said offer. Out of the same, the petitioner has paid a sum of Rs.9,50,000/- on 16.05.2022. Thereafter, since there was a delay in payment of the balance amount, auction was proposed to be conducted on 19.10.2022.

3. Learned counsel for the petitioner submitted that the petitioner is now prepared to pay the balance amount, including the interest payable on the sale consideration made by the auction-purchaser. The petitioner has made a representation dated 14.11.2022 in this regard. However, the same has not been considered so far. Hence, he has approached this Court with the above mentioned prayer.



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4. Without going into the merits of the matter, the respondents 3 and 4 are directed to consider and dispose of the representation of the petitioner dated 14.11.2022, on merits and in accordance with law, as expeditiously as possible. If the petitioner is ready to pay the balance amount, including interest payable on the sale consideration, the same may also be considered by respondents 3 and 4.

5. The writ petition is disposed of accordingly. No costs.

(T.R., ACJ.) (D.B.C., J.)
12.12.2022

Index: Yes/No
tar

Office to note:

Issue order copy by 15.12.2022.

To

1.The Secretary to Government
Revenue Department
St.George Fort, Chennai

2.The Chief General Manager
Reserve Bank of India
General Office, Chennai

3.The Authorised Officer
S.B.I., Asset Recovery Management Branch
No.44, 1st Floor, Eldams Road,
Teynampet Chennai 18

4.The Manager
S.B.I., PBB Besant Nagar Branch
E159 Anna Besant Nagar

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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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