



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.NO.32057 OF 2018

M/s.Al-Ameen International Ltd.,
Rep. by its Chairman & Managing Director,
Mr.Abdullah Sarwar

...Petitioner

Vs

1. The Chief Manager,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Buildings,
32, Red Cross Road,
Egmore, Chennai -8.
2. The Deputy General Manager,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Buildings,
32, Red Cross Road,
Egmore, Chennai -8.
3. Trans Union CIBIL Limited,
[Formerly : Credit Information Bureau
(India) Limited],
One Indiabulls, 19th Floor,
Tower 2A-2B, Senapati Bapat Marg,
Elphinstone Road,
Mumbai - 400 013.

... Respondents

Prayer: Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, directing the respondents to correct the credit information pertaining to the petitioner by deleting the entry pertaining to the Second Working Capital Facility with the limit of Rs.13.50 Crores sanctioned on 19.02.2015 by State Bank of India.



WEB COPY

For Petitioner : M/s.K.M.Vijayan Associates
For R1 & R2 : Mr.M.L.Ganesh
For R3 : No Appearance

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to correct the credit information pertaining to the petitioner by deleting the entry pertaining to the Second Working Capital Facility with the limit of Rs.13.50 Crores sanctioned on 19.02.2015 by State Bank of India.

2.The learned counsel appearing for the respondents 1 and 2 by referring the counter affidavit submitted that the petitioner's name appeared in the CIBIL report due to the merger of State Bank of Patiala with the State Bank of India and the same has been rectified. Therefore, the prayer sought for in the Writ Petition has become infructuous.

3.In reply, the learned counsel for the petitioner submitted that the statement of the learned counsel for the petitioner may be recorded and the Writ Petition may be closed.

4.Paragraph No.1 and 2 of the counter affidavit filed by the respondents 1 and 2 is extracted hereunder:

"1.I state that I am the Chief Manager serving in the first respondent Bank and filing this counter affidavit for and on behalf of the respondents 1 and 2 herein. Since the loan accounts of the petitioner herein were classified as NPA, it has been migrated to Stressed Assets Management Branch for proper resolution in terms of internal policy of the Bank and as such, I am well acquainted with the facts and circumstances of the above case.

2.At the outset, the respondents state that the above Writ Petition deserves to be dismissed as infructuous since the third respondent had already rectified the mistake crept in the CIBIL report on 12.12.2018 pursuant to the strenuous efforts initiated by the Bank. It is not out of place to mention that the double entry has arisen



WEB COPY

subsequent to the merger of State Bank of Patiala with State Bank of India in terms of Central Government notification and the said mistake is neither willful nor wanton but for the reasons stated hereabove."

5. In view of the averments made in the counter affidavit and the submission made by the learned counsel appearing for the respondents 1 and 2, nothing survives for further adjudication in this Writ Petition. Hence, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rst

To:

1. The Chief Manager,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Buildings,
32, Red Cross Road,
Egmore, Chennai -8.
2. The Deputy General Manager,
State Bank of India,
Stressed Assets Management Branch,
Red Cross Buildings,
32, Red Cross Road,
Egmore, Chennai -8.
3. Trans Union CIBIL Limited,
[Formerly : Credit Information Bureau
(India) Limited],
One Indiabulls, 19th Floor,
Tower 2A-2B, Senapati Bapat Marg,
Elphinstone Road,
Mumbai - 400 013.

+1cc to M/s.K.M.Vijayan Associates, Advocate, S.R.No.232

W.P.No.32057 of 2018

RSI (CO)
RLP (27/01/2022)