



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5251 of 2022

K.Edwin

... Petitioner

WEB COPY

Vs.

The Branch Manager,
Indian Overseas Bank,
Marthandam Branch,
First Floor, PPM Complex,
Main Road Marthandam,
Kanyakumari District,
Tamil Nadu-629 165.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 01.03.2022 and thereby direct the respondent to accept his proposal to recover his monthly salary of Rs.30,000/- for the repayment of loan account in 14080335140017 and 1408038111300025 after regularizing the same.

For Petitioner : Mr.G.Cenil
For Respondent : Mr.N.Dilipkumar

O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent bank.

2. The petitioner is a borrower. He had committed default. The bank took action under SARFAESI Act. The petitioner challenged the same before DRT and later, before the Hon'ble Division Bench in this regard in W.P.(MD)No.10542 of 2022. He had obtained some conditional interim order. In such circumstances, this writ petition may not even be maintainable. However, it is for the respondent to consider the petitioner's request and take appropriate action on his representation. It is not for this Court to issue any writ of mandamus.

3. Leaving open the matter entirely to the discretion of the respondent, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

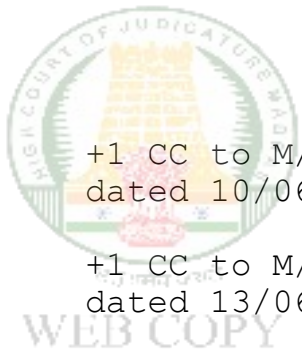
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Sub Assistant Registrar(CS)

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+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-25126[F]
dated 10/06/2022)

+1 CC to M/s.G.CENIL, Advocate (SR-25297[F]
dated 13/06/2022)

W.P. (MD)No.5251 of 2022
09.06.2022

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