



W.P.No.10894 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10894 of 2023

M/s.Shree Basaveshwar Sugars Limited,
Represented by its Director,
S.Kathiravan,
No.6, Mallikarjuna Badawane,
Ganesh Nagar, Managuli Road,
Bijapur - 586 109,
Karnataka.

... Petitioner

Vs.

Indian Bank,
Represented by its Branch Manager,
Perambalur Branch,
22/47, Sanjeevarayan Koil Street,
Perambalur - 621 212.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Indian Bank, Perambalur Branch, 22/47, Sanjeevarayan Koil Street, Perambalur - 621 212, the respondent herein to consider the representation dated 20.12.2022 of the petitioner.



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For Petitioner : Mr.S.Ramachandran
For Respondent : Mr.Kalyanaraman
for M/s.Iyer and Dolia

ORDER

This Writ Petition has been filed for a direction to the Indian Bank, Perambalur Branch, 22/47, Sanjeevarayan Koil Street, Perambalur - 621 212, the respondent herein, to consider the representation of the petitioner, dated 20.12.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner has executed a bank guarantee in favour of M/s.Kay Bouvet Engineering Limited. However, the said contract is not processed and subsequently, the contract was terminated. The bank guarantee executed by the petitioner in favour of M/s.Kay Bouvet Engineering to the respondent was not returned to the petitioner. Therefore, the petitioner has made a representation on 20.12.2022 to the respondent. But the same has not been considered till date. Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioner would further submit that though very many grounds have been raised in the present Writ Petition, it would suffice, if this Court may issues a direction to the respondent to consider the petitioner's representation dated 20.12.2022 and pass appropriate orders, within a time frame that may be fixed by this Court.

4. The learned counsel appearing for the respondent would submit that the representation of the petitioner would be considered and orders passed thereon in accordance with law.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondent to consider the petitioner's representation dated 20.12.2022 and pass appropriate orders, on merits and in accordance with law, within a



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period of six weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner and M/s.Kay Bouvet Engineering Limited, though he is not a party to the Writ Petition.

7. With the above directions, this Writ Petition is disposed of. No costs.

11.04.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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To
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The Branch Manger,
Indian Bank,
Perambalur Branch,
22/47, Sanjeevarayan Koil Street,
Perambalur - 621 212.



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M.DHANDAPANI,J.

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