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W.P.No.6066 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.6066 of 2016

and

W.M.P.No.5401 of 2016

M/s.Swan Electric Engineering Co. Pvt. Ltd.,
Represented by it Managing Director,
47 C, (N.P) Sidco Industrial Estate,
6th Street, Ambattur,
Chennai-600 098.

...Petitioner

-Vs-

1. Small Industries Development Bank of India (SIDBI),
Rep. by its Managing Director,
SIDBI Tower, No.15, Ashok Marg,
Lucknow, Pin 226 001.
2. Small Industries Development Bank of India (SIDBI),
Ambattur Branch, No.207,
II Floor, AIEMA Tower,
1st Main Road, Ambattur Industrial Estate,
Chennai-600 058.
3. Credit Information Bureau of India Ltd. (CIBIL)
Hoechst House, 6th Floor,
193, Backbay Reclamation,
Nariman Point, Mumbai-400 021.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus, directing the



W.P.No.6066 of 2016

respondents 1 & 2 to take steps to remove the asset classification status of the petitioner's account as "Sub-Standard" from the "Data Base" and "Web-Site" of the said 3rd respondent and consequently direct the 3rd respondent to remove the status of the petitioner's loan account from "Sub-Standard" in its Data Base and Web Site within the time as may be prescribed by this Honourable Court.

For Petitioner : Ms.Akshaya Benjamin

For Respondents :
(for R1 & R2) : Mr.Ganesh
for Ganesh & Ganesh
(for R3) : Mr.S.Parthasarthy

ORDER

The relief sought in the present writ petition is to direct the respondents 1 and 2 to take steps to remove the asset classification status of the petitioner's account as "Sub-Standard" from the "Data Base" and "Web-Site" of the said 3rd respondent and consequently direct the 3rd respondent to remove the status of the petitioner's loan account from "Sub-Standard" in its Data Base and Web Site.

2.The High Court cannot undertake to conduct an inquiry with reference to the standard of account maintained by the petitioner company. The grievances of the petitioner is that their company has been classified as "Sub-Standard" and a direction is sought for to remove



W.P.No.6066 of 2016

status of the petitioner's loan account from "Sub-Standard" in its Data Base and Web Site. It requires an elaborate inquiry upon whether the nature of the account maintained by the petitioner was "Sub-Standard" or otherwise. Technical inquiry is also required since the petitioner is a company. High Court is not an expert body to conduct such a roving inquiry so as to assist the nature of the account maintained by the petitioner company and the reason for such remark by the 3rd respondent. More so, the remarks were made in the year 2015, and considering the facts, the petitioner is at liberty to approach the authority concerned or the appellate authority along with the documents and details for the purpose of considering their cases.

3. Accordingly, with this liberty, the writ petition stands **disposed of**. No costs. Consequently, the connected miscellaneous petition is closed.

06.03.2023

Index: Yes
Speaking order
Neutral Citation: Yes
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W.P.No.6066 of 2016

S.M.SUBRAMANIAM, J.

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To

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