



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)NO.15840 OF 2023

M/s.Arun Polymers,
represented by its Proprietor,
Arun Kumar.

:Petitioner

.VS.

1.The Divisional Manager,
Canara Bank,
Madurai Region,
Madurai.

2.The Authorized Officer,
Canara Bank,
SME Branch,
Nehruji Nagar,
Dindigul District.

3.Kumar Poly Bag India Private Limited,
20A, S.V.V. Complex,
Chintamani Bazar,
Trichy – 620 002.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to hand over the properties of the Petitioner which are all not mortgaged under the respondents 1 and 2 and to return the amount of Rs.1 Crore deposited in the escrow account in the light of the order passed in W.P(MD)No.3558 of 2022, dated 26.8.2022



and based upon the representation of the Petitioner, dated 14.06.2023.

WEB COPY

For Petitioner	:Mr.S.Ramsundarvijayraj
For Respondents 1 and 2	:Mr.N.Dilip Kumar Standing Counsel
For Respondent-3	:Mr.M.Ajmal Khan Senior Counsel for M/s.Ajmal Associates

O R D E R

(Order of the Court was made by S.S.SUNDAR,J)

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the respondents to hand over the properties of the Petitioner which are all not mortgaged under the respondents 1 and 2 and to return the amount of Rs.1 Crore deposited in the escrow account in the light of the order passed in W.P(MD)No.3558 of 2022, dated 26.8.2022 and based upon the representation of the Petitioner, dated 14.06.2023.

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

3.It is reported that there are several applications pending



WEB COPY

before the Debts Recovery Tribunal in connection with the subject matter. The limited request of the learned counsel for the Petitioner is that he may be permitted to withdraw the escrow amount which he has deposited with the respondents 1 and 2/Bank in pursuance of the directions of this Court.

4.The learned Standing Counsel appearing for the respondents 1 and 2-Bank has no objection for issuing a direction to the respondents 1 and 2/Bank to disburse the escrow amount to the Petitioner, which was deposited by him pursuant to the directions of this Court.

5.Therefore, the Writ Petition is closed, however, with a direction to the respondents 1 and 2-Bank to disburse the escrow amount which has been deposited by the Petitioner to him within a reasonable time. No costs.

[S.S.S.R.,J.] [D.B.C,J.]
19.07.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
vsn



To

WEB COPY

1. The Divisional Manager,
Canara Bank,
Madurai Region,
Madurai.
2. The Authorized Officer,
Canara Bank,
SME Branch,
Nehruji Nagar,
Dindigul District.



WEB COPY



S.S.SUNDAR, J.

AND

D.BHARATHA CHAKRAVARTHY, J.

vsn

ORDER MADE IN

W.P(MD)NO.15840 OF 2023

19.07.2023