



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-04-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.9807 of 2024

And

WMP No.10835 of 2024

M/s.Salem Textiles Limited,
Selliampalayam,
Narasingapuram,
Salem-636 108 Represented by its
Director, Mr.P.Rajaram.

.. Petitioner

-VS-

1.ICICI Bank Pvt. Ltd.,
G-11, 1st Main Road,
Near HP Petrol Bunk,
Ambattur Industrial Estate,
Ambattur,
Tamil Nadu-600 058.



2. Unit Trust of India (UTI),
UTI Tower,
Gn Block, Bandra-Kurla Complex,
Bundra (East),
Mumbai-400 051.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 27.01.2024 in its capacity as the Agent of the secured creditors and also the Debenture Trustee, and return the original title deeds held by them as security, which stand discharged as on date.

For Petitioner : Ms.A.Rithikha

For Respondent-1 : Mr.Nithyaesh Natraj

ORDER

The e-mail communication sent by the petitioner is taken as a cause for instituting the present writ petition to direct the first respondent to consider the said representation dated 27.01.2024.



2. The representation sent by the petitioner through e-mail to the first respondent-ICICI Bank, would not provide cause for filing the present writ petition, since it relates to certain contractual obligations between the parties. More-so, the first respondent-ICICI Bank is a Private Banking Institution and the nature of dispute exist is related to certain terms and conditions of contractual obligations. Thus the present writ petition is not entertainable.

3. The disputed issues touching upon the contractual obligations between the parties, cannot be adjudicated in writ proceedings and such adjudication requires framing of issues, scrutinisation of documents in original and evidences.

4. That being the factum, the petitioner is at liberty to work out their remedy in the manner known to law. The petitioner is at liberty to institute a suit before the Competent Civil Court of Law.



5. With the above liberty, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

10-04-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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To

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S.M.SUBRAMANIAM, J.

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