



WEB COPY



WP No.9347 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2024

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No.9347 of 2024

and

WMP No.10368 of 2024

MARUTHI PLASTICS
REP. BY ITS PROPRIETOR,
S.KRISHNAKUMAR

: Petitioner

Versus

1.THE CHIEF GENERAL MANAGER,
CANARA BANK,
TEYNAMPET, CHENNAI 18

2.THE DEPUTY GENERAL MANAGER
CANARA BANK, LEELAVATHI BUILDING,
ARMENIAN STREET, CHENNAI 01

3.THE BRANCH MANAGER
CANARA BANK, PERAMBUR BRANCH OFFICE,
NO.157/71, MADHAVARAM HIGH ROAD,
PERAMBUR, CHENNAI 11

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents to revise the abnormal interest and other penal charges in Account No.60011250001177 based on the DRT order passed in O.A.231 of 2020 dated 15.12.2023 and



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grant NOC to the petitioner within a time limit that may be stipulated by this court and direct respondent bank to hand over the original document No. 504/ 2007 dated 24.1.2007.

For Petitioner : Mr.C.V.Shyam Sunder

For Respondents : Mr.V.Kathirvelu
Standing Counsel

ORDER

(Order of the Court was made
by the Hon'ble Chief Justice)

At the outset, counsel for petitioner states that nothing survives in the petition because the original documents have been handed over to him. Counsel for respondents states that the mortgage has been discharged.

2. Respondents, through its Chief Manager, Ms.Shosheela, has filed another affidavit dated 27.11.2024. In the said affidavit, Ms.Shosheela has brought on record certain facts which were not brought to the notice of the Court on the earlier date i.e. 13.11.2024.



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3. We accept the explanation given in paragraph No.5 of the affidavit for the delay in handing over the documents.

4. There is a reference to a complaint that was lodged against petitioner. Counsel for petitioner states that since the Court is inclined to dispose of the petition, he is not filing an affidavit in response; but states that all the averments in the affidavit of Ms.Shosheela are not admitted. Counsel for petitioner further states that his instructions are to give the amount of Rs.1,00,000/- as cost imposed by this Court to charity.

5. In view of the explanation given in paragraph No.5 of the affidavit, and since petitioner does not want that money, we recall the order of cost imposed on the bank.

6. At the same time, our directions given in paragraph No.13 of the order dated 13.11.2024 remain. The Board of Canara Bank, we hope, will sensitise its staff to be more customer friendly, so that litigants need not rush to the Court and take up precious judicial time.



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7. We should also note that in view of the explanation given, the observations made by us in the order dated 13.11.2024 need not be viewed as adverse remarks against the officials of the Bank.

8. Petition disposed. There will be no order as to costs. Consequently, interim application also stand disposed of.

(K.R.SHRIRAM, CJ.)

(SENTHILKUMAR RAMAMOORTHY, J.)

27.11.2024

Index : Yes/No
Neutral Citation : Yes/No
tar



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