



WEB COPY

W.P.No.17728 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.17728 of 2024

R.Venkatachalapathy

.. Petitioner

vs

1.The Canara Bank  
5/4 I Floor, RVR Building,  
Head Quarters Road, Coimbatore,  
Tamil Nadu – 641 018.

2.The Branch Manager,  
Canara Bank,  
5/4 I Floor, RVR Building,  
Head Quarters Road, Coimbatore,  
Tamil Nadu – 641 018.

3.Parvathy

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing respondents 1 and 2 to act upon the representation of the petitioner dated 06.02.2024 and furnish all the relevant details regarding SOD Syndmse (61211400000893), later modified to 61219450001084 for 3<sup>rd</sup> respondent.

For Petitioner : Mr.T.Gowthaman, Senior Counsel  
for Ms.S.Karpagapriya

For Respondents : Ms.SR.Sumathy  
Standing Counsel  
for R1, R2

ORDER

Ms.SR.Sumathy, learned Standing Counsel, accepts notice for R1 and R2 and is armed with necessary instructions to enable a final disposal of this matter now.

2. One Mrs.Parvathy, is arrayed as R3. No notice is issued to her at



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this stage since her interests have been duly taken note of by virtue of this order and by consent expressed by both learned counsel this writ petition is disposed finally, even though listed for admission.

3. The petitioner claims to be a guarantor for a loan availed by R3, executing memorandum of deposit of title deeds in respect of the petitioner's property and offering the same as collateral security for the loan. The description of the property does not figure in the writ affidavit.

4. According to the petitioner, he has been settling the outstandings in regard to the loan regularly, as R3 has been playing truant. The petitioner states, at paragraph 4 of the writ affidavit, that he has recently discovered that the sanctioned amount per the loan document was a sum of Rs.2.5 crores whereas he had been proceeding on the basis that loan was only for a sum of Rs.75 lakhs. To be noted that the sanction order has not been challenged. The petitioner merely seeks an innocuous mandamus directing R1 and R2 to act upon his representation dated 06.02.2024 and furnish all details relating to the loan availed by R3 to which he stands guarantee.

5. The representation itself has been received by the bank, as may be seen from the acknowledgement card placed at page 16 of typed-set. It is made clear that the averments in the writ affidavit are to be verified by the bank while disposing the representation.

6. In the upshot, mandamus is issued to R2 to hear the petitioner and R3 after issuance of notice, verify all the factual particulars in relation to the transactions in question and pass orders on representation dated



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06.02.2024 within a period of eight weeks from date of receipt of a copy of this order, in accordance with law and all extant regulations.

7. Writ petition stands disposed in terms of this order. No costs.

05.07.2024

Index:Yes/No  
Neutral Citation:Yes  
ssm

To

The Branch Manager,  
Canara Bank,  
5/4 I Floor, RVR Building,  
Head Quarters Road, Coimbatore,  
Tamil Nadu – 641 018.



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DR. ANITA SUMANTH,J.

ssm

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