



W.P.(MD)No.19278 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.19278 of 2018

R.Senguttuvan

... Petitioner

versus

The Senior Branch Manager,
Bank of India,
Alangudi Branch,
No.23, Nadiamman Street,
Alangudi,
Pudukkottai District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to forbear the respondent from seizing the vehicle (Tractor attached Harvester) purchased out of the loan availed from the respondent Bank in Loan Account No.823476210000062 based on the notice issued by the respondent dated 20.08.2018.

For Petitioner : No appearance

For Respondent : No appearance



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ORDER

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2. Today, when the writ petition is taken up for hearing, there is no representation for the petitioner as well as the respondent Bank.

3. The respondent Bank has filed a counter affidavit stating that the petitioner has availed a loan of Rs.20 lakhs for the purchase of Tractor along with Harvester on 20.05.2010 and he has paid the amount of Rs.16,33,631/- and as on 30.06.2018, there was a due of Rs.23,44,539/- from the petitioner and therefore, a demand notice was issued on 27.07.2018 and subsequent notice for re-possession was also issued on 20.08.2018 and immediately, the petitioner has filed this writ petition on 04.09.2018.



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4. The Tractor along with Harvester was purchased by the petitioner by obtaining a loan from the respondent Bank. It is purely based on an Agreement. Since the petitioner has failed to pay the due amount, the respondent Bank has initiated proceedings as per the terms and conditions of the Agreement. Therefore, this Court is not inclined to entertain this writ petition.

5. Accordingly, this writ petition is dismissed. No costs.

25.03.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

The Senior Branch Manager,
Bank of India,
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No.23, Nadiamman Street,
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B.PUGALENDHI, J.

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