



WEB COPY

WP No. 10352 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 10352 of 2026

G.Murugesan
Managing partner,
M/s.Gurusamy Realtors and Promoters
No.110A, Subramaniyapuram,
Venkitapuram,
Coimbatore-641 025

..Petitioner(s)

Vs

1. The Chairman of the Willful defaulter identification committee
Executive Director,
Indian Bank Building,
No.31, Variety Hall Road,
Coimbatore-641 001
2. The Zonal manager
Recovery and Legal Department,
Indian Bank Building,
No.31, Variety Hall Road,
Coimbatore-641 001
3. Indian Bank
Rep. by its Manager
Lawley Road Branch,
No.274, Thadagam Road,
Velandipalayam Post,
Coimbatore-641 025

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the 1st respondent to conduct the enquiry in respect of Defaulter Notice issued by the 2nd respondent vide (Ref. No. IB. ZO. LEGAL. SC. GRP. 2023-24) dated 18.12.2023 within stipulated time as fixed by this Court



For Petitioner(s): Mr.K.Venkateswaran

Order

The writ petition is filed by the petitioner to direct the 1st respondent to conduct the enquiry in respect of Defaulter Notice issued by the 2nd respondent without any delay.

2. Case of the petitioner is that the petitioner is running the construction business under the name and style of M/s.Gurusamy Realtors and Promoters. The petitioner Firm had availed a loan from the 3rd respondent for its business. While so, the 2nd respondent had sent a show cause notice dated 18.12.2023, stating that the petitioner Firm was defaulted in meeting its payment obligation to the bank as per the terms of sanction. However the petitioner did not get clear accounting details like from where the credit happened. He also given his reply to the defaulter notice on 28.12.2023. However, without considering his representation which is given as a reply to the Defaulter Notice as issued by the 2nd respondent and without conducting enquiry, the 1st respondent kept the matter in abeyance. Hence, the petitioner is before this Court.

3. Learned counsel for the petitioner states that many credit and debits of huge amount of transaction happened specifically during the period from 01.03.2014 to 31.12.2017 without the petitioner's knowledge and he came to



know about these fraudulent activities of seamless banking transaction only when the show cause notice was issued declaring him as willful defaulter.

Therefore, the learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to conclude the enquiry and pass orders on merits and in accordance with law, within a specified period.

4. Heard the learned counsel appearing for the petitioner and also perused the materials available on record. Since no adverse order is passed against the respondents, notice to them is not necessary.

5. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the first respondent to conduct the enquiry in respect of Defaulter Notice issued by the 2nd respondent, after affording an opportunity of personal hearing to the petitioner Firm and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

23-03-2026

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

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Recovery and Legal Department,
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M.DHANDAPANI J.

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