

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

WP(C).No. 17626 of 2015 (C)

PETITIONER :

**TOMY MATHAI, AGED 56 YEARS,
VEMBENICKAL HOUSE, MALAYINCHI P.O.,
THODUPUZHA, IDUKKI DISTRICT - 685 595.**

BY ADV. SMT.SHAMEENA SALAHUDHEEN

RESPONDENTS:-:

- 1. THE BRANCH MANAGER
STATE BANK OF INDIA, UDUMBANOOR,
PUTHEN PURAYIL BLDGS, UDUMBANOOR,
IDUKKI DISTRICT, PIN - 685 595.**
- 2. THE DISTRICT COLLECTOR, IDUKKI - 685 603.**
- 3. THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**

**R1 BY SRI.K.K.CHANDRAN PILLAI SENIOR ADVOCATE
BY ADV. SMT.S.AMBILY
R2 & R3 BY GOVERNMENT PLEADER SMT. M.T. SHEEBA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-06-2015 ALONG WITH WPC. 17662/2015 & WPC 17665/2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE LOAN ACCOUNT PASS BOOK.

**EXHIBIT P2: TRUE COPY OF THE B.SC NURSING DEGREE CERTIFICATE ISSUED
BY THE RAJIV GANDHI UNIVERSITY OF HEALTH SCIECNES,
KARNATAKA.**

EXHIBIT P3: TRUE COPY OF THE APPLICATION FOR SUBSIDY.

**EXHIBIT P4: TRUE COPY OF THE ADALAT NOTICE ISSUED BY THE 1ST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) Nos.17626, 17662 & 17665 of 2015

Dated this the 25th day of June, 2015

J U D G M E N T

The petitioners availed educational loans from the respondent Bank. They have approached this Court highlighting their grievance that, they have not been given interest subsidy and also they seek a direction to the respondents to provide correct statement of their liability after crediting subsidy. The petitioners' another prayer before this Court is that, they may be permitted to pay off the liability in easy installments.

2. The learned Senior Counsel for the Bank submits that, the petitioners availed loan in the year 2005 and 2007 and wherever interest subsidy is ordered, the petitioners have given credit to it. It is also submitted that, it is doubtful whether the petitioners have been given any interest subsidy by the Government.

3. It is seen that, the petitioners have approached the District Collector with an application in the prescribed format claiming interest subsidy. Considering that aspect, this writ petition is disposed of with the following directions :

1. If no order has been passed in the application submitted by the petitioners for interest subsidy, necessarily the District Collector shall pass orders thereon, within one month from the date of receipt of a copy of this judgment.

2. If the order has already been passed, the same shall be communicated to the Bank without any delay.
3. The petitioners shall discharge the entire liability as demanded by the Bank in ten equal monthly installments starting from 20.07.2015.
4. The subsidy, if any, granted shall be adjusted against the petitioners' liability.
5. If the petitioners commit default in making any one of the installments as stipulated above, the Bank is at liberty to proceed against the petitioners.
6. If any concession is available in the matter for waving interest or otherwise, the same shall also be given to the petitioners.
7. The Bank shall communicate the liability to the petitioner before 20.07.2015.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.