

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.17286 of 2015

T.Vasantha

..Petitioner

Vs.

1.The Chairman,
Central Bank of India,
Chander Mukhi, Nariman Point,
Mumbai-400 021.

2.The Zonal Manager,
Central Bank of India,
No.48/49, Montieth Road,
Egmore, Chennai-600 008.

3.The Regional Manager,
Central Bank of India,
No.48/49, Montieth Road,
Egmore, Chennai-600 008.

4.The Assistant Regional Manager,
Central Bank of India,
No.48/49, Montieth Road,
Egmore, Chennai-600 008.

5.The Senior Manager,
Central Bank of India,
Ambattur Branch,
INTUC Building, No.270/560,
M.T.H.Road, Ambattur, Chennai-600 098.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the fifth respondent vide his letter in Ref.Ambatt/2015-16 dated 11.05.2015, quash the same and direct the fifth respondent to issue Liability Certificate by excluding the Educational Loan within the time limit as fixed by this Court.

For Petitioner

.. Mr.S.Ambigapathi

For Respondents

.. Mr.M.L.Ganesh for R1 to R5

ORDER

Three loans have been obtained by the petitioner. Two loans are cent mortgage loans in which the petitioner is the concerned person. In the third loan, which was applied for educational purpose, the petitioner stood as guarantor. Now, the petitioner has applied for a fresh mortgage loan for which, she requires Liability Certificate. But the same was rejected by the fifth respondent on the ground of pendency of the three loans. Challenging the same, the present writ petition has been filed.

2. The learned counsel appearing for the petitioner submitted that after excluding the educational loan, a Liability Certificate is required to be given.

3. The learned counsel appearing for the respondents submitted that the petitioner has signed the documents along with her son stood as guarantor in the educational loan.

4. In view of the specific statement made on behalf of the respondents, this writ petition stand dismissed. However, this order would not stand in the way of the respondents considering the loan amount on the application filed by the petitioner, by taking into consideration all the three loans including the educational loan. The petitioner is directed to make an application to the respondents and the same has to be considered and appropriate action will have to be taken by the respondents within a period of two weeks from the date of receipt of such an application.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

raa

To

1.The Chairman,
Central Bank of India,
Chander Mukhi, Nariman Point,
Mumbai-400 021.

WEB COPY

2.The Zonal Manager,
Central Bank of India,
No.48/49, Montieth Road,
Egmore, Chennai-600 008.

3.The Regional Manager,
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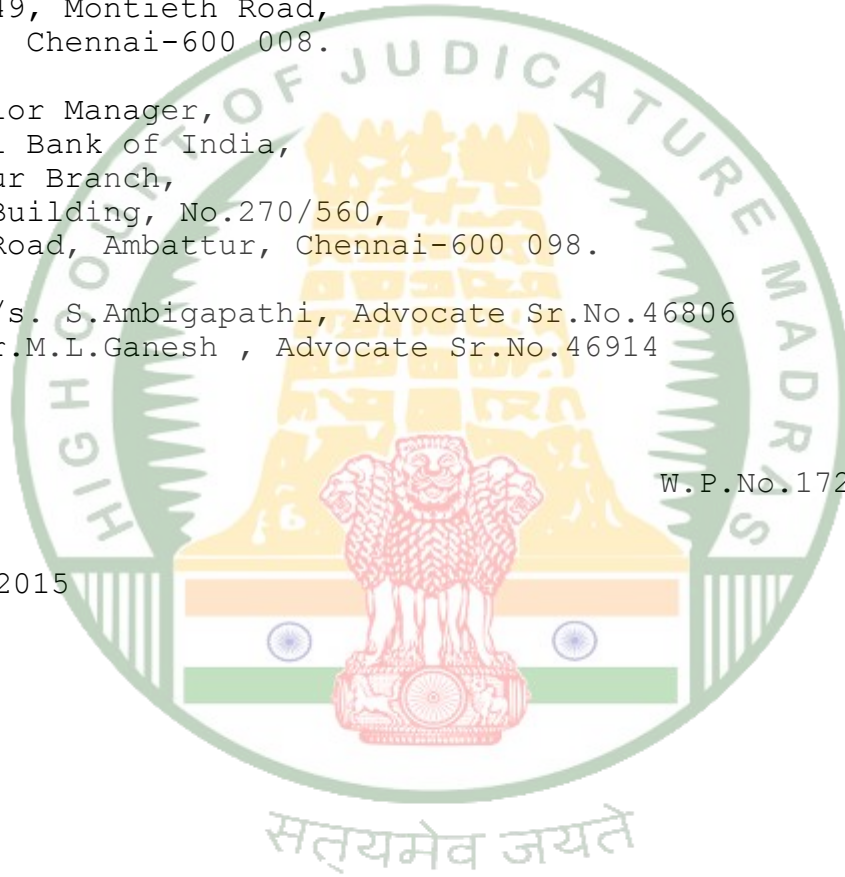
5.The Senior Manager,
Central Bank of India,
Ambattur Branch,
INTUC Building, No.270/560,
M.T.H.Road, Ambattur, Chennai-600 098.

1 cc to M/s. S.Ambigapathi, Advocate Sr.No.46806

1 cc to Mr.M.L.Ganesh , Advocate Sr.No.46914

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msm (Co)
pmk.11.9.2015



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