

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. Nos.37159 to 37161 of 2016

1. K.Elumalai ..Petitioner in W.P.No.37159 of 2016
2. A.Sakunthala ..Petitioner in W.P.No.37160 of 2016
3. Kandasamy ..Petitioner in W.P.No.37161 of 2016

Vs.

The State Bank of India
Rep. By its Branch Manager,
Chengi Branch,
Chengi, Villupuram District ... Respondent in all
Writ Petitions

PRAYER : Writ Petitions have been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to consider and pass orders on the representation of the petitioners dated 23.08.2016, 29.08.2016 and 22.08.2016 respectively submitted to give sufficient time for repayment of the balance loan amount on installment basis.

For Petitioners : Ms.Gajalakshmi

C O M M O N O R D E R

Since the issue involved in all the three Writ Petitions are one and same, they are taken up together and a common order is passed.

2. These Writ Petitions have been filed to issue a Writ of Mandamus directing the respondent herein to consider and pass orders on the representation of the petitioners dated 23.08.2016, 29.08.2016 and 22.08.2016 respectively, which were submitted to give sufficient time for repayment of the balance loan amount on installment basis.

3. Heard the learned counsel for the petitioners and perused the materials placed on record.

4. Admittedly, even as per representations the petitioners have availed loan in the year 2007, 2005 and 2007 respectively

and the said loans are for purchasing tractor. It is evident from the representation of the petitioner in W.P.No.37159 of 2016 that loan was sanctioned for Rs.6,40,000/-, subsequently, he has paid a sum of Rs.50,000/- on 16.06.2010. According to the petitioner, apart from the above mentioned amount, he has paid Rs.1,80,000/- on 07.08.2011 + Rs.90,000/- on 03.04.2012 and Rs.20,000/- on 12.05.2013 and the same has not been credited in the bank account and the said tractor was auctioned for Rs.3,00,000/-

5. Similarly in W.P.No.37160 of 2016, loan was sanctioned to the petitioner for a sum Rs.7,77,000/-, subsequently, she has paid a sum of Rs.4,51,000/- + Rs.1,00,000/- = Rs.5,51,000/-. The Bank has demanded a sum of Rs.3,55,000/- stating that if the said amount has not been paid, her vehicle will be seized. Subsequently a sum of Rs.3,55,000/- has been paid by her.

6. Similarly in W.P.No.37161 of 2016 loan was sanctioned to the petitioner for a sum Rs.5,00,000/-, subsequently, he has paid a sum of Rs.10,000/- + Rs.10,000/- + Rs.50,000/- + Rs.1,70,000/- = Rs.2,40,000/-. According to the petitioner, apart from the above mentioned amount, he has paid Rs.2,10,000/- on 03.04.2014 and Rs.1,63,000/- on 07.09.2015 and the same have not been credited in the bank account.

7. The petitioners have given representations during the month of August 2016 and immediately they have come to this Court by way of Writ Petitions seeking the prayer mentioned supra, therefore, this Court holds that the Writ Petitions filed by the petitioners are pre-mature. It is also not known whether the petitioners have stated all these alleged misdeeds of the authority to the higher officials and therefore, this Court is not inclined to entertain these Writ Petitions at this juncture. Further as on date even according to their calculations they have neither included the interest for repayment nor returned the due as claimed by the bank. Accordingly these Writ Petitions fail and they are dismissed. However, it is always open to the petitioners to approach the competent authority in accordance with law. No costs.

Sd/-
Assistant Registrar(CS VI)

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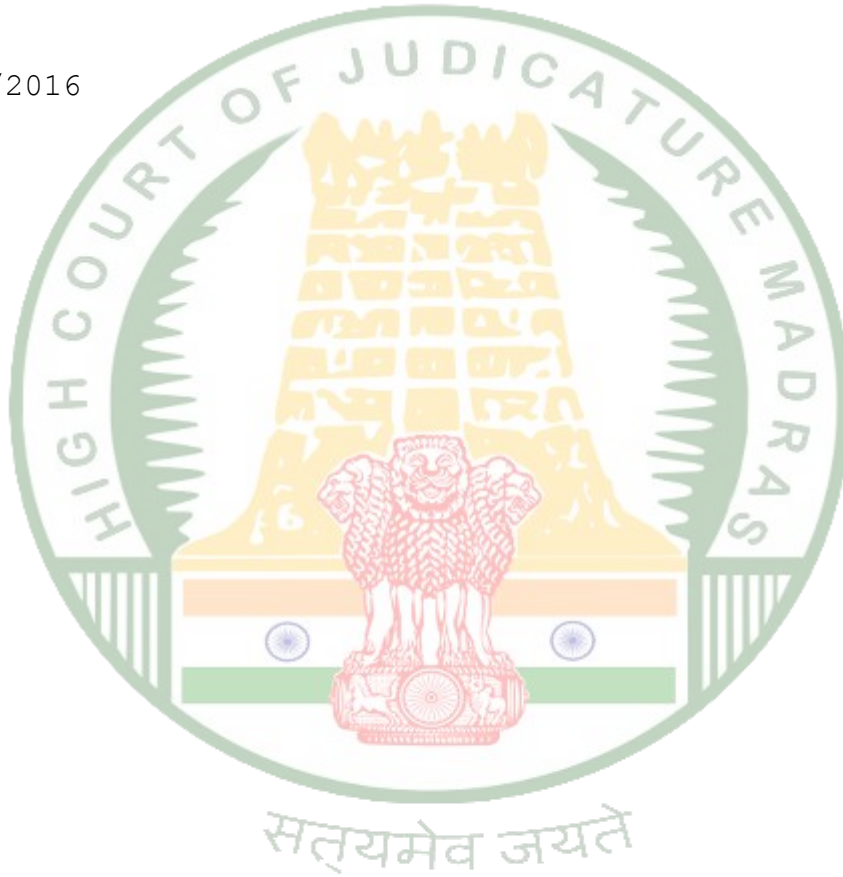
Sub Assistant Registrar

ssd
To

The Branch Manager,
The State Bank of India,
Chengi Branch,
Chengi, Villupuram District.

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NrI[co]
srg 08/12/2016



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