



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.17420 of 2016

P.Pommanasamy

... Petitioner

Vs.

1. The Regional Manager,
State Bank of India,
Madurai.

2. The Branch Manager,
State Bank of India,
Ottanchadram Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to release the loan in ATL II MI and Solar Pump Unit Amount of Rs.18,33,000/- to the petitioner, based on the petitioner's representation dated 24.11.2015.

For Petitioner : Mr.G.Gomathi Sankar
For Respondent : Mr.S.Sethuraman

ORDER

The present writ petition has been filed seeking a direction to the 2nd respondent to release the loan in ATL II MI and Solar Pump Unit Amount of Rs.18,33,000/- to the petitioner based on his representation dated 24.11.2015.

2.According to the petitioner, he has applied for a loan for installing a Solar Pump set for a sum of Rs.12,11,000/- from the respondent Bank and he also executed necessary equitable mortgage in favour of the Bank. Sofar, the respondent did not grant any loan. Hence, the present writ petition has been filed.

3.Mr.S.Sethuraman, the learned Standing Counsel appearing for the respondent submitted that already the petitioner obtained a loan of Rs.6,30,000/- and that has not been repaid by him. Apart from that, sofar as the present loan is concerned,



the petitioner's claim that he is entitled to get subsidy from the Government and the subsidy amount is to be taken as initial deposit, he further submitted that sofar the petitioner has not produced any certificate for getting subsidy. In these circumstances, the respondent Bank is not in a position to consider the petitioner's application.

4.Considering the facts and circumstances of the case, without going into the merits of the case and also considering the fact that the petitioner has already executed a mortgage for the entire loan amount, the second respondent/Branch Manager, State Bank of India, Dindigul District is directed to consider the petitioner's representation dated 24.11.2015 on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Sd/
Assistant Registrar(A.E.,)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Regional Manager,
State Bank of India, Madurai.

2.The Branch Manager,
State Bank of India, Ottanchadram Taluk, Dindigul District.

+1cc to M/s.G.Gomathi Sankar, Advocate, in SR No.63468.

+1cc to M/s.S.Sethuraman, Advocate, in SR No.63374.

W.P(MD)No.17420 of 2016
25.10.2016

vs
msm/ss3/11.11.16/p2/5c