



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cont.P.(MD).No.777 of 2016

S.Ramaiya

... Petitioner/Petitioner

Vs.

Mr.K.Shengabaraman,
The Branch Manager,
Allahabad Bank,
Plot No.391, 1st floor,
Anna Nagar, Main Road,
Madurai-20.

...Contemnor/ Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent herein for willful disobedience of the orders of this Court in W.P.(MD). No.4728 of 2016 dated 21.03.2016.

Prayer in WP(MD). 4728/ 2016 :

Writ Petition is filed under Section 226 of Constitution of India, to issue a Writ of Mandamus to direct the 2nd respondent to sanction educational loan to the petitioner's daughter.

For Petitioner
For Respondent

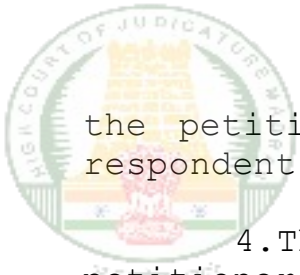
: Mr.P.Subbaraj
: Mr.Pala.Ramasamy

ORDER

This Contempt Petition has been filed alleging violation of the order passed by this Court in W.P.(MD).No.4728 of 2016 dated 21.03.2016.

2.The learned counsel for the petitioner submitted that as per the order passed by this Court, the petitioner filed an undertaking affidavit before this Court. Despite the same, the respondent has not granted educational loan.

3.Per contra, the learned counsel appearing for the respondent submitted that the respondent already sent a communication to the petitioner on 18.06.2016, informing him to execute the i)Term Loan Agreement on the prescribed proforma ii) Affidavit as directed by this Court in the writ petition. Since



the petitioner did not come forward to execute the same, the respondent is not in a position to grant educational loan.

4.The learned counsel for the petitioner submitted that the petitioner would immediately approach the Bank and produce all the required documents.

5.Apart from that, the learned counsel for the petitioner submitted that as against the original loan amount of Rs.3,20,000/-, now the respondent Bank has sanctioned only a sum of Rs.1,20,000/- without any reason whatsoever.

6.The learned counsel for the respondent Bank submitted that already the petitioner availed the tuition fees waiver from the SC-ST Welfare Board to the tune of Rs.40,000/- per year. In the above circumstances, the loan amount is reduced to Rs.1,20,000/-.

7.The learned counsel for the petitioner submitted that tuition fees per year comes to Rs.1,80,000/-, whereas the SC-ST Welfare Board gives Rs.40,000/- as tuition fees waiver. Hence, the petitioner is not in a position to pay the remaining expenses. Hence, he requests this Court to direct the second respondent to grant educational loan for a sum of Rs.1,60,000/-.

8.In the above circumstances, the respondent Bank is directed to consider whether loan amount could be raised to Rs.1,60,000/- in stead of Rs.1,20,000/- and pass appropriate order. With the above observation, this contempt petition is closed.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub Assistant Registrar

vs

To
Mr.K.Shengabaraman,
The Branch Manager,
Allahabad Bank,Plot No.391, 1st floor,
Anna Nagar, Main Road,Madurai-20.

+1cc to Mr.P.Subbaraj,Advocate Sr.No. 61617
+1cc to Mr.Pala.Ramasamy,Advocate Sr.No. 61365

JAM/08.11.16/GSV-PM/2p-4c

Cont.P. (MD) .No.777 of 2016
18.10.2016