

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2017

CORAM

THE HONOURABLE MR. JUSTICE M.DURAI SWAMY

W.P.No.44053 of 2016
and W.M.P.No.37860 of 2016

G.Munusamy

.. Petitioner

Vs

The Branch Manager,
State Bank of India,
Tiruvallur,
No.5, JN Road,
Tiruvallur-602 001.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or direction in the nature of Writ directing the respondent to raise the attachment of petitioner saving account No.11193511570 pending in respondent bank.

For Petitioner : Mr.M.Jaikumar

For Respondent : Mr.T.Ramasamy

O R D E R

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the respondent to raise the attachment of the petitioner saving bank account No.11193511570.

2. It is the case of the petitioner that his son Nirmal Kumar obtained educational loan for pursuing his engineering studies and his academic period was 2009-2013.

3. The learned counsel appearing for the respondent submitted that a sum of Rs.3,88,000/- was sanctioned to the petitioner's son towards educational loan and the petitioner is the co-applicant for the loan transaction. The petitioner is also having the saving bank account with the respondent bank. The grievance of the petitioner is

that now he attained superannuation and his pension amount has been debited from his saving bank account towards loan amount.

4. The learned counsel appearing the respondent submitted that the petitioner has given consent for debiting a sum of Rs.21,000/- per month towards loan amount from the month of September 2014.

5. The learned counsel appearing for the petitioner submitted that the petitioner has given a representation dated 14.11.2016 for settling the matter and seeking for waiver of interest. However, the representation given by the petitioner dated 14.11.2016 has not yet been considered by the respondent bank.

6. The learned counsel appearing for the respondent bank submitted that the respondent may be directed to consider the petitioner's representation on merits and in accordance with law.

7. In view of the submissions made by the learned counsel on either side, I direct the respondent to consider the petitioner's representation dated 14.11.2016 on merits and in accordance with law, with in a period of four weeks from the date of receipt of a copy of this order.

8. With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

sjj/vsm

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To

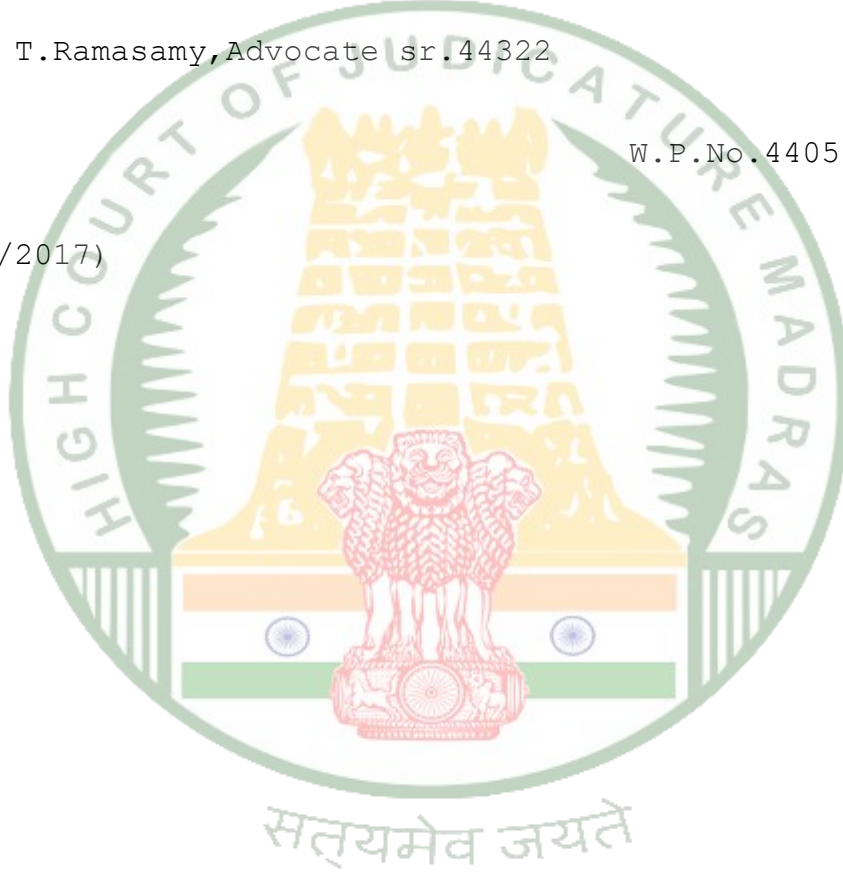
The Branch Manager,
State Bank of India,
Tiruvallur,
No.5, JN Road,
Tiruvallur-602 001.

+1cc to Mr.M.Jai Kumar, Advocate sr.44329

+1cc to T.Ramasamy, Advocate sr.44322

W.P.No.44053 of 2016

ks (co)
ss(13/7/2017)



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