



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.21187 of 2017

N.Vidhyasankar

... Petitioner

Vs.

1. The Branch Manager,
Central Bank of India,
Pensioner Street,
Palani Road, Dindigul.

2. The Regional Manager,
Central Bank of India,
Raja Muthaiah Mandram, 1st floor,
Dr.Muthaiah Road,
Madurai - 625020.

3. The Chief General Manager,
Tamil Nadu Regional Office,
NABARD,
48, Mahathma Gandhi Road,
Nungambakkam, Chennai - 600 034

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 3rd respondent to refund interest collected from the petitioner towards interest free capital of Rs.10 Lakhs, with further direction to pay accrued interest for retaining it due to the red-tapism of 1st and 2nd respondents and cost of this Court proceedings naturally arose by their deficiency.

For Petitioner : M/s.X.Sumalatha

For Respondents 1 & 2 : Mr.R.Dilip Kumar

ORDER

This writ petition has been filed, seeking to direct the third respondent to refund interest collected from the petitioner towards interest free capital of Rs.10 Lakhs, with further direction to pay accrued interest for retaining it due to the red-tapism of first and second respondents and cost of this Court proceedings naturally arose by their deficiency.



2. Heard both sides.

3. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel for the petitioner would submit that the petitioner and his father availed loan from the first respondent. According to the petitioner, out of the said loan amount, 50% is interest free loan. But the bank has not considered it. Hence, he paid the entire loan amount along with interest. Though the petitioner approached the respondents several times, seeking waiver of the interest, no fruitful result came. Hence, the petitioner is before this Court.

5. The learned counsel appearing for the respondents would submit that the petitioner's representation would be considered on merits, within the time stipulated by this Court.

6. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondents to consider the representation dated 21.11.2016 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

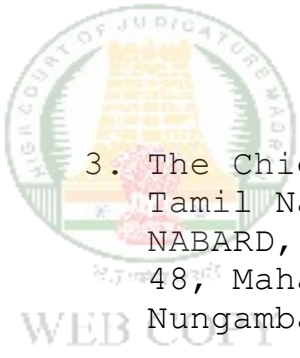
Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The Branch Manager,
Central Bank of India,
Pensioner Street,
Palani Road, Dindigul.
2. The Regional Manager,
Central Bank of India,
Raja Muthaiah Mandram, 1st floor,
Dr. Muthaiah Road,



3. The Chief General Manager,
Tamil Nadu Regional Office,
NABARD,
48, Mahathma Gandhi Road,
Nungambakkam, Chennai - 600 034

+1cc to Mr.R.Dilip Kumar, Advocate Sr.No.87798

DSK

VB/MR/KKR/SAR3/08/12/2017/3P/5C

ORDER MADE IN
W.P (MD) No.21187 of 2017
17.11.2017