



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.4929 of 2017

N.Veeraiah

.. Petitioner

Vs.

The Branch Manager,
State Bank of India,
Mimisal Branch,
Avudaiyarkovil Taluk,
Pudukottai District.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent herein permit the petitioner to pay the loan amount balance for instalment basis in the loan Account No.31450724452 and consider the petitioner's representation dated 10.03.2017.

For Petitioner : Mr.S.Ramakrishnan
For Respondents : Mr.M.Alagathevan

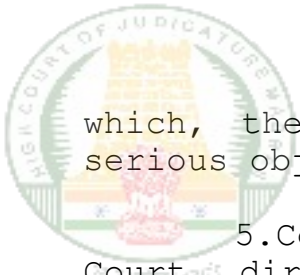
ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondent bank to permit the petitioner to pay the balance loan amount in instalment basis, based on his representation, dated 10.03.2017.

2.Heard both sides.

3.The case of the petitioner is that he obtained loan for a sum of Rs.11,74,218/- from the respondent bank for purchasing a tractor under hypothecation and he repaid more than 50% of the loan amount with interest. According to the petitioner, due to financial stringency, he made a representation, dated 10.03.2017, to the respondent bank seeking permission to pay the entire arrears in three instalments. Since the same has not been considered so far, the petitioner is before this Court.

4.The learned counsel appearing for the petitioner would submit that the petitioner is an agriculturist and due to loss of income, he seeks to pay the entire arrears in equal instalments, for



which, the learned counsel appearing for the respondent, has no serious objection.

5. Considering the facts and circumstances of the case, this Court, directs the petitioner to pay the entire arrears of loan amount to the respondent bank in four equal monthly instalments and the first instalment shall be paid on or before 05.12.2017 and the remaining instalments shall be paid on or before the fifth day of every succeeding month. If the said direction is not complied with by the petitioner, it is open to the respondent to proceed with in accordance with law.

6. The writ petition is disposed of on the above terms. No costs.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

The Branch Manager,
State Bank of India,
Mimisal Branch,
Avudaiyarkovil Taluk,
Pudukottai District.

+ 1 CC TO Mr.S.RAMAKRISHNAN, ADVOCATE IN SR No. 86421

SMN

TE/GT/SAR-I : 21/11/2017 : 2P/3C

ORDER MADE IN
W.P (MD) No. 4929 of 2017
09.11.2017