



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.16026 of 2016

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S.Balamurugan

.. Petitioner

vs.

1.The Manager,
Karur Vysya Bank,
Thirunagar Branch,
Thirunagar,
Madurai- 625 006.

2.S.Sankar Raj
(R2 is impleaded vide Court order
dated 09.01.2017 in W.M.P(MD)No.331/17)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing respondent herein to sanction the remaining loan amount without any delay.

For Petitioner : Mr.G.Ganeshkumar

For Respondent : Mr.Pala Ramasamy

O R D E R

The petitioner seeks for a direction to the first respondent bank to disburse the remaining loan amount.

2.It is seen that the petitioner has applied for term loan for agricultural purpose and it is stated that a part of the loan amount was also disbursed to the petitioner and remaining part is not paid, due to the objection raised by the second respondent herein, who is impleaded today as party respondent. The second respondent is none other than the brother of the petitioner. It appears that there is some dispute between them in respect of the property so furnished as security to the first respondent bank.

3.Therefore, it is for the first respondent to consider the request of the petitioner and pass orders on the same on merits and in accordance with law also after giving due opportunity of hearing to the second respondent. Such exercise shall be done by the first respondent within a period of four weeks from the date of this order. It is also made clear that this Court is not expressing any view on the claim made by the petitioner in respect of his right over the property shown as



security already, as it is for the first respondent to consider the rival claims of the parties and decide the same accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

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/True Copy/

Sub Assistant Registrar

To

1.The Manager,
Karur Vysya Bank,
Thirunagar Branch,
Thirunagar,
Madurai- 625 006.

+1cc to Mr.G.Ganeshkumar,Sr no 1951
+1cc to Mr .Pala Ramasamy,Sr no 1579

skn

ms pm pn 31.01.2017 2p/4c

W.P (MD) No.16026 of 2016
09.01.2017