



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 13.04.2017**

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

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Contempt Petition (MD).No.806 of 2016

in

W.P. (MD) .No.10738 of 2015

N.Periyakaruppan

: Petitioner

Vs.

1.Mr.M.N.Monohar,
The Regional Manager,
Canara Bank,
Madurai.

2.Mr.Sridharan,
The Branch Manager,
Canara Bank,
Thumbaipatti Branch,
Melur Taluk,
Madurai District.

: Respondents

Prayer: Contempt Petition has been filed under Section 11 of the Contempt of Courts Act prays to punish the respondents herein for the willful disobedience to the order of this Court made in W.P(MD) No.10738 of 2015, dated 03.09.2015 forthwith.

Prayer in WP(MD). 10738/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the Respondent No.2 to provide Rs. 2,90,000/- Education Loan to the petitioner s son Rajesh Kannan for B.E., Computer Science course within the time stipulated by this Honourable Court.

For Petitioner

: Mr.S.Mahalingam

For Respondents

: Mr.C.Jawahar Ravindran

O R D E R

This Contempt Petition has been filed to punish the respondents for their wilful disobedience of the order passed by this Court made in W.P(MD)No.10738 of 2015, dated 03.09.2015.

2.This Court, by the order dated 03.09.2015 has passed the following order:-

<https://hcservices.ecourts.gov.in/hcservices/> Considering the submissions made on either side, this Court directs the petitioner to give a fresh application to the second respondent bank within a period



of one week from the date of receipt of such application, the second respondent is directed to consider the educational loan application of the petitioner and pass appropriate orders on merits and in accordance with I.B.A guidelines, within a period of two weeks thereafter."

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3. In response to the direction passed by this Court, the respondent Bank has passed an order 21.09.2015 has stated that as per the guidelines, if the credit history of the parent/guardian, who shall stand as coborrower/guarantor is found adverse, then another guarantor with satisfactory credit history acceptable to the bank may obtained. Therefore, the petitioner was directed to provide alternative suitable guarantor for sanction of the loan.

4. The learned Additional Government Pleader appearing for the respondent would submit that till date the petitioner was not able to provide the suitable guarantor for the bank to pass the loan application.

5. In such view of the matter, no purpose will be served in keeping the contempt pending. Hence, the Contempt Petition is dismissed. No costs. It is always open to the petitioner to comply with the instructions issued by the Bank, dated 21.09.2015 and on such compliance, it is open to the Bank to consider the application of the petitioner on merits and in accordance with law.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1. Mr. M. N. Monohar,
The Regional Manager,
Canara Bank,
Madurai.

2. Mr. Sridharan,
The Branch Manager,
Canara Bank,
Thumbaipatti Branch,
Melur Taluk,
Madurai District.

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JS/MR/3.05.2017/2P-3C

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