



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2017

CORAM:

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

W.P (MD) No.4978 of 2013

and

MP (MD) No.1 of 2013

S.Saravana Kumar

... Petitioner

Vs.

The Branch Manager,
State Bank of India (SBI),
Nehruji Nagar,
Dindigul Town & Taluk,
Dindigul District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondent from deducting the loan amount from the petitioner's father's monthly salary through his account A/c. No.30017364257.

For Petitioner	: Mr.P.Vijendran
For Respondent	: Mr.V.Meenaksi Sundaram

ORDER

This writ petition has been filed, seeking a Writ of Mandamus, forbearing the respondent from deducting the loan amount from the petitioner's father's monthly salary through his account A/c. No.30017364257.

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 had availed educational loan from the respondent bank in the year 2006 and subsequently, he repaid a part amount of the loan. While so, the respondent bank has been making deductions from the salary of the petitioner's father. Aggrieved over the same, the petitioner is before this Court, seeking appropriate direction to the respondent.

5.It is the specific claim of the petitioner that the entire loan amount had already been settled, as accepted by the bank and hence, any deduction could not be made from the salary of the

petitioner's father by the respondent bank.

6. At the time of passing an interim order, this Court, on 20.01.2016, observed the submission of the respondent bank that the bank has not deducted any amount from the account of the petitioner's father.

7. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the petitioner to approach the respondent with all the documentary evidence to prove his claim that he settled the entire loan amount, within one week from the date of receipt of a copy of this order and on such a production, the respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks therefrom.

8. The writ petition is disposed of as above. No costs. Consequently, MP(MD)No.1 of 2013 is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Branch Manager,
State Bank of India (SBI),
Nehruji Nagar,
Dindigul Town & Taluk,
Dindigul District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 93341
+1cc to Mr.D.ANBARASU Advocate in SR. No. 93414
+1cc to M/s. V.MEENAKSHI SUNDARAM Advocate in SR. No. 93405

DSK

JS/JC/SAR.1/05.01.2018/2P-5C

ORDER MADE IN
W.P (MD) No. 4978 of 2013
15.12.2017