

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7691 of 2018

K.Pramila

.. Petitioner

-vs-

1. The Regional Manager
Corporation Bank
Whites Road
Chennai 600 014

2. The Branch Manager
Corporation Bank
Kaveripakkam Branch
No.21, Banavaram Main Road
Kaveripakkam
Vellore District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pass appropriate orders on petitioner's representation dated 08.03.2018 relating to the educational loan account No.CVDIU/01/110013 on the file of the second respondent within a stipulated time.

For Petitioner :: Mr.C.Prabakaran

ORDER

This writ petition has been filed seeking a mandamus to the respondents to pass appropriate orders on the petitioner's representation dated 08.03.2018 relating to the educational loan account No.CVDIU/01/110013 on the file of the second respondent within a stipulated time.

2. Learned counsel for the petitioner submitted that the petitioner along with her son K.Akila Sai Goutham obtained an educational loan for pursuing her son's B.E.Mechanical Engineering course for the period 2011-2015 from the Corporation Bank, Kaveripakkam Branch, Vellore District, the second respondent herein and a sum of Rs.1,78,000/- was disbursed in the educational loan account No.CVDIU/01/110013. But due to the

financial crisis prevailed in the family, the petitioner was unable to repay the instalments of the educational loan, as a result the second respondent bank issued a demand notice on 24.1.2017 as if the petitioner's account was declared as NPA on 22.8.2016 itself with a direction to the petitioner to pay a sum of Rs.2,11,907/- towards principal and interest. In view thereof, the petitioner approached the respondents on 15.12.2017 with a request to waive the interest and penal interest so that she will be able to repay the loan amount on instalment basis. The said representation, till date, has not been considered. Therefore, a direction is sought for.

3. This Court is unable to entertain the writ petition. The reason is that when the petitioner approached the second respondent seeking educational loan for pursuing her son's B.E.Mechanical Engineering course for the year 2011-2015 and also obtained a loan of Rs.1,78,000/-, it is her bounden duty to repay the amount as per the terms and conditions along with interest. Therefore, after availing the loan amount, she cannot say that she is unable to repay the interest. Hence, finding no merits, this writ petition is dismissed. Consequently, W.M.P.No.9594 of 2018 is also dismissed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Regional Manager
Corporation Bank
Whites Road
Chennai 600 014

2. The Branch Manager
Corporation Bank
Kaveripakkam Branch
No.21, Banavaram Main Road
Kaveripakkam, Vellore District.

+1cc to Mr.C.Prabakaran, Advocate Sr.No.25040/18

VBA(CO)
sm:17.4.2018

W.P.No.7691 of 2018