



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2018

C O R A M

WEB COPY

**THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN**

W.P. (MD) No. 2793 of 2018  
and  
W.M.P. (MD) No. 2959 of 2018

Manickam

... Petitioner

Vs.

1. The District Collector,  
Pudukottai District,  
Pudukottai.

2. The Branch Manager,  
Indian Overseas Bank,  
Keeramangalam Branch,  
Alangudi Taluk,  
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the 2<sup>nd</sup> respondent to verify the petitioner's agriculture loan file properly, whether he received loan a sum of Rs.5 lakhs or 3 lakhs and connectively directing the 2<sup>nd</sup> respondent to provide sufficient time opportunity to the petitioner for repay the loan amount on the basis of the petitioner's representation dated 05.01.2018 within the stipulated time fixed by this Court.

|                |   |                                                            |
|----------------|---|------------------------------------------------------------|
| For Petitioner | : | Mr. B. Anandan                                             |
| For R1         | : | Mr. Aayiram K. Selvakumar<br>Additional Government Pleader |
| For R2         | : | Mr. N. Dilipkumar                                          |

O R D E R

According to the petitioner, he is an agriculturist and he approached the second respondent for getting agricultural loan, he was sanctioned with loan for a sum of Rs.3,50,000/- on 16.02.2010. He has also paid the installments for two years without fail. But, due to crop failure, he was not able to paid the installments thereafter. Therefore, the second respondent issued a notice to pay the principle sum of Rs.3,50,000/- along with interest of Rs.5,10,935/-. The petitioner after receipt of the same has deposited a sum Rs.1,00,000/- with the second respondent Bank. Subsequently, he was informed that he has received a loan for Rs.5,00,000/- from the second respondent Bank as agricultural loan, and directed him to pay with interest to the tune of Rs.6,62,801/-.



In the above circumstances, the petitioner has filed the present writ petition.

3.The learned counsel for the respondent submitted that the bank has advanced only a sum of Rs.3,50,000/- on 16.02.2010 to the petitioner as agricultural loan and as of now, the petitioner has to pay a sum of Rs.7,59,299/- along with interest. But, the petitioner, without paying the same, has filed the present writ petition only to delay the payment of dues.

4.Considering the above said facts and circumstances, since now the bank itself admitted that the petitioner has only advanced the loan for a sum of Rs.3,50,000/- and the respondent bank has already issued a statement of account to the petitioner detailing all particulars regarding interest payable by the petitioner, the prayer sought for by the petitioner in this Writ Petition cannot be granted. Hence, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, W.M.P.(MD)No.2959 of 2018 is closed.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The District Collector,  
Pudukottai District,  
Pudukottai.

+One cc to Mr.B.Anandan, Advocate, SR.No.50534

+One cc to Mr.N.Dilipkumar, Advocate, SR.No.50837

+One cc to The Special Government Pleader, SR.No.50988

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RL/5C/2P/KKR/SAR2/9/3/2018

W.P. (MD)No.2793 of 2018