



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P. (MD) No.19481 of 2018

and

W.M.P. (MD) .No.17293 and 17294 of 2018

J.Janardhanan

.. Petitioner

Vs.

The Manager,  
Canara Bank,  
Sattur Branch,  
Virudhunagar District.

.. Respondent

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondent from deducting any amount from the account of the petitioner vide A/c. No.0920111015000 maintaining with the respondent bank and consequently, directing the respondent to re-credit all the money deducting from the petitioner's account towards instalment to the educational loan sanctioned to the daughters of the petitioner.

For Petitioner

: Mr.C.M.Arumugam

#### O R D E R

The writ petition is filed seeking a writ of mandamus forbearing the respondent from deducting any amount from the account of the petitioner.

2. According to the petitioner, two of his daughters had applied for education loan from the respondent bank and in respect of one education loan, the same had been repaid and in respect of the other loan, it is being repaid. Despite the same, the respondent bank is deducting certain amounts from the pension payable to the petitioner.

3. The issues and the facts, as disclosed in the affidavit, require adjudication of factual disputes between the petitioner and the respondent bank and such an adjudication cannot be done under writ jurisdiction.

4. In fact, if the petitioner is aggrieved by any deduction of amount from his pension, it is always open to the petitioner to approach the Civil Court to establish his claim and discharge of his liability towards education loans and seek appropriate remedies



before the said Court. It is certainly not open to the petitioner to invoke special jurisdiction of this Court under Article 226 of the Constitution of India.

5. Therefore, this Court is of the view that the writ petition is not maintainable and the same is dismissed accordingly. No Costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar(Judicial)

/True Copy/

Sub Assistant Registrar(CS-II)

PJL

**W.P. (MD) No.19481 of 2018**

NM/SKN/SAR II/23.10.18/2P/1C