



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10288 of 2019 and
W.M.P.(MD)No.7926 of 2019

A.Manikandan

... Petitioner

Vs.

The Manager,
State Bank of India,
330-A, Main Road,
Ambasamudram,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned letter issued by the respondent dated 16.04.2019 in respect of jewel loan account No.35698685897 standing in the petitioner's name on the file of the respondent.

For Petitioner : Mr.P.Ramasamy

For Respondent : Mr.S.Sethuraman

ORDER

Heard the learned counsel on either side.

2. The Writ petitioner had taken agricultural loan from the respondent Bank by pledging his jewels. The petitioner could not repay the loan amount. The Bank has therefore proposed to put the property in auction. This action of the Bank is under challenge in this Writ petition.

3. In the very nature of things, there is no scope for this Court to interfere. However, taking note of the fact that the petitioner had suffered crop loss and is willing to be put on terms, this Court directs the respondent to defer the auction proceedings, if the petitioner pays a sum of Rs.1,00,000/- (Rupees One Lakh only) within a period of three months from the date of receipt of a copy of this order. The petitioner's loan account shall then be regularised and the petitioner shall also be given benefits which may be permissible as per the R.B.I. Norms and Circulars.



4. This Writ petition stands disposed of, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

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Sub Assistant Registrar(CS)

To
The Manager,
State Bank of India,
330-A, Main Road,
Ambasamudram,
Tirunelveli District.

+1 CC to Mr.P.RAMASAMY, Advocate SR-63153.

+1 CC to Mr.S.SETHURAMAN, Advocate SR-62776.

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CS: (11/06/2019) 2P C