



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.23281 of 2018

and

W.M.P. (MD) Nos.21151 to 21153 and 21988 of 2018

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P.Madasamy

... Petitioner

Vs

1.The Regional Manager,
State Bank of India,
Madurai.

2.The Manager,
State Bank of India,
Nanguneri Branch,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for records of the impugned order by message dated 10.06.2018 followed by another message dated 31.10.2018 issued by the second respondent to the petitioner and quash the same in so far as putting the petitioner's pension account No.11200557053 on the file of the second respondent on hold and consequently directing the second respondent to release pension amount of the petitioner with interest which was already debited from the petitioner's pension account.

For Petitioner : Mr.S.R.Anburasu
For Respondents : Mr.S.Sethuraman
Special Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned standing counsel for the bank/ respondent.

2.It is seen that the petitioner's son had availed education loan from the respondent bank for pursuing his MBA Course. The loan amount has not been repaid. Therefore, the respondent had put on hold the petitioner's pension account. Challenging the said action of the respondent bank, this writ petition has been filed.

3.The learned counsel appearing for the respondent pointed out that the petitioner's son is a rank defaulter. Having availed loan amount, he did not bother to repay the same.

<https://hcservices.ecourts.gov.in/hcservices/>

4.It is not in dispute that the petitioner is also a borrower. But then, the petitioner's pension cannot be attached for any



purpose. The petitioner must be directed to operate his pension account.

5. Therefore, the order impugned in this writ petition is quashed and this writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Regional Manager,
State Bank of India,
Madurai.

2. The Manager,
State Bank of India,
Nanguneri Branch,
Tirunelveli District.

+2cc to Mr. S. Sethuraman, Advocate, SR.No. 54688, 54515

+1cc to Mr. S. R. ANBARASU, Advocate, SR.No. 54847

W.P. (MD) No. 23281 of 2018

and

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