BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.11.2019
CORAM:
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
CONT.P.(MD)No.1264 of 2019
in
W.P.(MD) No.2675 of 2019

Gunaseelan ... Petitioner/Petitioner

Vs

Mr.Rahul
The Branch Manager,
Karur Vysya Bank,
Melur Branch,
Melur, Madurai District. ... Contemnor/Respondent No.3

PRAYER: Petition filed under Section 11 of the Contempt of Courts Act 1971, to initiate contempt proceedings under Section 11 of the Contempt of Courts Act, 1971 against the respondent herein for his wilful disobedience to implement the order passed by this Court in W.P.(MD)No.2675 of 2019, dated 14.02.2019 and punish the respondent.

Prayer in WP(MD). 2675 of 2019 :
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of mandamus, directing respondents No:1 to 3 to sanction and disburse education loan a sum of Rs.7,48,000/- (Seven Lakhs and forty eight thousand rupees) to the petitioners daughter namely G.Selsiya for pursuing her course in Doctor of Medicine M.D. (Equivalent to MBBS in India) at the International Medical Faculty, Osh State University, Kyrgyzstan, Russia based on the application dated 22.10.2018.

For Petitioner : Mr.R.Karunanidhi

For Respondent : Mr.Palaramasamy

ORDER

The petitioner's daughter is pursuing her MD Course in a Foreign Country. It is a six year course. The petitioner's daughter had already finished two years. She wants loan assistance for the remaining four years, towards the fees payable for the remaining four years and the amount would come to Rs.13.50 lakhs. The petitioner is seeking loan only for a sum of Rs.7.48 lakhs. The bank has raised doubt as to how the petitioner would arrange for the balance payment of Rs.6.02 lakhs.

2.The query raised by the bank is just and legitimate. But then, in this case, the petitioner is offering a third party guarantee. In this case, the third party happens to be one Guhananthan. If the bank is satisfied that it is possible to recover the loan amount from the third party guarantor, the bank shall disburse the loan. The issue is left to the satisfaction of the respondent bank. The bank may also take such appropriate measures to secure the loan.

3.With this observations, the Contempt Petition stands closed. If the respondent has decided to reject the loan, a formal order will be passed by them and it will be open to the petitioner to challenge the same in the manner known to law.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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+1CC TO MR.R.KARUNANITHI, Advocate Sr. No. 95848

CONT.P.(MD)No.1264 of 2019
04.11.2019

GRL(CO)
TR(16.12.2019)2P 2C