



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 24619 of 2021

A. Kaliaperumal

.. Petitioner

Versus

The Manager
State Bank of India
Cuddalore OT - 4

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent particularly the respondent to consider the petitioner representation dated 01.10.2021 and to give a suitable direction to the respondent to pass an appropriate order to the Manager, State Bank of India, Cuddalore OT and pass to release the freezed account of the petitioner immediately.

For Petitioner : Mr. K. Manikandan
for M/s. Lex Legato Associates

For Respondent : No appearance

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing the respondent to consider the petitioner representation dated 01.10.2021 and to pass order to defreeze the account of the petitioner.

2. The brief facts of the case are as follows:

The petitioner is retired from Government Service on 30.06.2009 and he is receiving a sum of Rs.5,360/- as monthly pension. In the year 2009, the petitioner borrowed a loan for his daughter's education. Thereafter, the petitioner's account got freezed by the respondent bank towards the loan amount due. Hence, the petitioner made a representation to the respondent bank on 04.10.2021 to defreeze the account of the petitioner. Since inaction on the part of the respondent in respect of the representation submitted by the petitioner, the present petition has been filed before this Court.

3. Heard the learned counsel for the petitioner as well as learned counsel for the respondent, and perused the materials placed on record.

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

4. It is seen from records that the petitioner borrowed the educational loan, during the year 2009 for his daughter.



Thereafter, the petitioner failed to repay the loan. Therefore, the respondent bank froze the account of the petitioner toward the loan amount due. Hence, this Court cannot issue any positive direction to the respondent. However, if the petitioner is paid the entire loan amount due towards the educational loan amount, the respondent Bank is directed to de-freeze account of the petitioner and release the pension amount.

4. With the above observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

Rli

To

The Manager
State Bank of India
Cuddalore OT - 4

+1cc to M/s. Lex Legato Associates, Advocate SR.No.59247

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MG(CO)
GMY(02/12/2021)