



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.16348 of 2020

and

W.M.P. (MD)No.13658 of 2020

Kanimozhi

... Petitioner

-Vs-

1.The Regional Manager,
State Bank of India,
Karaikudi Region,
Near BSNL and New Bus Stand,
Karaikudi - 630 001,
Sivagangai District.

2.The Manager,
State Bank of India,
Tiruppathur Branch,
Sivagangai District.

3.The Manager,
SBI Life Insurance Company Limited,
1st Floor, 45/1, 100 Feet Road,
(Opp) New Court, Karaikudi,
Sivaganga District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to absolve the petitioner from her liability towards the housing loan obtained by her husband in Loan Account No.37899614753 for sum of Rs.14,00,000/- of the 2nd respondent's Bank with interest and to return the documents pertaining with the above loan to the petitioner.

For Petitioner	:	Mr.T.Kumar
For Respondents	:	Mr.G.Radhakrishnan for R2 Mr.P.Arun Jayatram for R3

ORDER

Heard the learned counsel on either side.

2.The petitioner's husband had availed housing loan from the second respondent. It appears that even though deductions were made towards insurance premium, policy was actually not taken. The case of the petitioner is that this amounts to deficiency in service on the part of the second respondent. The petitioner had already moved



the Banking Ombudsman, but the Banking Ombudsman has negatived the petitioner's case by a non-speaking order. In any event, the petitioner will have to ventilate her grievances only before the jurisdictional consumer forum. Filing of a writ petition may not be appropriate. Therefore, leaving the petitioner's right, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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