



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.15119 of 2018

R.Vengateswaran

... Petitioner

vs.

1.The General Manager,
TNSTC,
Karaikudi Region,
Karaikudi.

2.The Branch Manager,
State Bank of India,
Subramaniyapuram Ist Street,
Karaikudi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 22.06.2018 and pass such other and further orders.

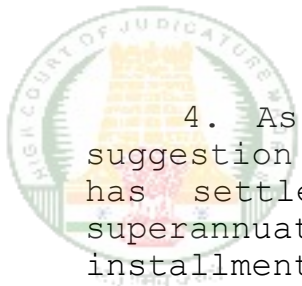
For Petitioner	: Mr.RM.Arun Swaminathan
For R1	: Mr.D.Sivaraman Standing counsel
For R2	: Mr.C.Karthik Standing counsel

O R D E R

The petitioner, who is an employee of the Tamil Nadu State Transport Corporation, Karaikudi Region ('Corporation') had guaranteed a loan availed by one Muthukamatchi Sekar, who is also an employee of the Corporation.

2. The said employee is stated to have defaulted in effecting repayments of the loan instalments, as a result that the State Bank of India arrayed as R2 has denied the request of the petitioner for a loan.

3. The petitioner has made a representation on 22.06.2018, seeking financial accommodation which is admittedly pending before R1. Hence this prayer for a mandamus to the Bank to consider the plea of the petitioner.



4. As regards the outstandings of the alleged defaulter, a suggestion is put forth by the petitioner that since the Corporation has settled all the terminal benefits due to him upon his superannuation, the loan could be recovered periodically and in installments from out of the monthly pension payments.

5. I refrain to advert to the alleged defaulter for the reason that he is not arrayed as a party to this writ petition and his version of events are unknown to the Court.

6. Learned Standing counsel for the Bank places on record a letter dated 16.04.2019 stated to have been issued to the Corporation, but without any acknowledgement of receipt from the Corporation, setting out the details of the loan stated to be outstanding.

7. In the above circumstances, it would suffice that a direction be issued to R2 to dispose the representation of the petitioner after hearing the petitioner and any other party necessary in this regard including the alleged defaulter and a representative of the Corporation, and pass orders in accordance with law and its Regulations, within a period of six weeks from today.

8. This Writ Petition is disposed as above. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv

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

1.The General Manager,
TNSTC,
Karaikudi Region,
Karaikudi.



2.The Branch Manager,
State Bank of India,
Subramaniyapuram Ist Street,
Karaikudi.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-37893[F] dated 09/12/2021)

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