



W.P.(MD).No.2284 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

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S.Arokiyasamy

... Petitioner

Vs.

1.The General Manager,
Canara Bank Circle Office,
Anna Salai, Teynampettai,
Chennai 600 018.

2.The Manager/Senior Manager,
Canara Bank,
Tiruchirappalli Theppakulam Main Branch,
No.26, Nandhi Koil Street,
Theppakulam,
Tiruchirappalli-01.

3.The Manager,
State Bank of India, (Bank Code 02002)
Main Branch,
Tiruchirappalli.

4.V.Ashokan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent in respect of the petitioner's statement of account for general advance in customer ID 20050818 and



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Account No.1222601000285, dated 07.07.2010 and to quash the same as illegal and consequently, to direct the 2nd respondent to furnish “No Due Certificate” to the petitioner in respect of the petitioner's savings bank account No.1222101059242.

For Petitioner : Mr.R.Rajaraman
For R2 : Mr.C.Jawahar Ravindran
For R1, R3 and R4 : No appearance

ORDER

The present writ petition has been filed challenging the impugned statement issued by the third respondent Bank.

2.According to the petitioner, he has borrowed loan from the Bank and he has also stood as a co-borrower along with one Ashokan, who is arrayed as the fourth respondent herein. Though he has paid his entire loan amount, the second respondent Bank is refusing to issue “No Due Certificate” and insisting upon the petitioner to pay the loan amount of the Ashokan also.

3.Per contra, the learned Counsel for the second respondent Bank submits that the petitioner is a co-borrower along with one



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Sundaramoorthy and the petitioner has no connection whatsoever with the fourth respondent V.Ashokan. The learned Counsel for the second respondent further submits that the petitioner has paid his entire loan amount but his co-borrower has not cleared the loan. However, the loan amount of the said Sundaramoorthy was closed. Hence, as on today, neither the writ petitioner nor his co-borrower Sundaramoorthy are having any dues to the second respondent Bank. Hence, the second respondent submitted that they are now ready to furnish a no due certificate to the writ petitioner.

4.In view of the above said facts, the second respondent Bank is directed to issue a no due certificate to the writ petitioner on his appearance before the Bank.

5.With the above said observation, the writ petition is allowed. No costs.

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Index : Yes / No
Internet : Yes / No
Tmg

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R.VIJAYAKUMAR ,J.

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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.

Order made in
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