



W.P(MD)No.6792 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.6792 of 2013

and

M.P(MD)Nos.1 & 2 of 2013

K.K.Nandhirajan

... Petitioner

Vs.

The Chief Manager,
State Bank of India,
Sivakasi Town Branch,
No.106, NPSN Arumugam Road,
Sivakasi,
Virudhunagar District.

... Respondent

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 respondent in pursuant to his notice, dated 06.03.2013 and quash the same as devoid of merits and direct the respondent to give proper loan accounts details to him.

For Petitioner : M/s.S.Selva Kumar

For Respondent : M/s.R.Pandivel



W.P(MD)No.6792 of 2013

ORDER

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The present Writ Petition has been filed challenging a notice issued by the respondent Bank, under which, they have directed the writ petitioner to repay or regularize the accounts or else the Bank would be constrained to publish / display the photographs, names and addresses in the leading newspapers and other places.

2. According to the petitioner, he is a book binder and he has borrowed a personal loan from the respondent Bank to a tune of about Rs.1,80,000/- at the rate of 14.25% per annum. According to the petitioner, though he has paid a sum of Rs.1,77,940/-, yet the Bank is demanding a huge amount and threatening to publish his photographs, names and addresses in the newspapers and other places. Hence, the present writ petition.

3. Per contra, the learned Counsel appearing for the respondent Bank submits that the petitioner has so far not settled the loan amount. The loan account is alive and hence, still the Bank has got every right to recover the loan amount from the petitioner herein.



W.P(MD)No.6792 of 2013

WEB COPY

4. I have carefully considered the impugned notice issued by the respondent Bank. Certainly, the Bank has got every right to recover the loan amount from the writ petitioner. The learned Counsel for the respondent further submits that so far the respondent Bank has not published / displayed the photographs, names and addresses in the leading newspapers and other places. The said statement is recorded. Though the Bank has got every right to recover the loan amount from the writ petitioner through any other legal means, publication / display of photographs, names and addresses in the leading newspaper and other places of the writ petitioner would have some disastrous consequences. Hence, impugned notice is quashed to this extent of threatening the petitioner with regard to publication / display of photographs, names and addresses in the leading newspapers and other places. With regard to the other aspects, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

19.09.2022



W.P(MD)No.6792 of 2013

Index : Yes / No
Internet : Yes / No
btr

To

The Chief Manager,
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Sivakasi Town Branch,
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Sivakasi,
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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.6792 of 2013

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