



WEB COPY



W.P.No.2493 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2493 of 2020

T.Seenuvasan

... Petitioner

Vs.

1.The Branch Manager,
Syndicate Bank,
Neyveli Branch,
Unit No.II,
Bay Nos.3 & 4,
Shopping Complex,
Neyveli – 607 801.
Cuddalore District.

2.T.Boaz Paul Perin Bam

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent Bank to pay the amount, lying in the account of the petitioner in Account No. 63212200016570, maintained with the first respondent Bank forthwith and take recovery action against the second respondent for the Educational Loan, borrowed by him in respect of Loan Account Nos. 63217180001311 and 63217650000281, maintained with the first respondent Bank.



W.P.No.2493 of 2020

For Petitioner : Mr.D.S.Thirumavalavan
For Respondents : Mr.K.Rajesh for R1
for M/s.T.S.Gopalan and Co.
No Appearance for R2

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the first respondent Bank to pay the amount, lying in the account of the petitioner in Account No. 63212200016570, maintained with the first respondent Bank forthwith and take recovery action against the second respondent for the Educational Loan, borrowed by him in respect of Loan Account Nos. 63217180001311 and 63217650000281, maintained with the first respondent Bank.

2.The case of the petitioner is that the second respondent obtained educational loan from the first respondent Bank and the petitioner stood as a Guarantor for the same. The petitioner also have account in the first respondent Bank and for the emergency need of his family, the petitioner obtained loan from Neyveli Lignite Corporation of India Limited and Employees Thrift and Credit Society and they gave cheque for the said amount. The cheque when presented before the first respondent Bank, they did not permit the



W.P.No.2493 of 2020

petitioner to withdraw the cheque amount and they also insisted the petitioner to discharge the educational loan obtained by the second respondent. Hence, this writ petition.

3.The learned counsel appearing for the first respondent submitted that the entire amount was withdrawn by the petitioner at the time of filing of the writ petition itself. Hence, the relief sought for in this writ petition has become infructuous.

4.Recording the submission made by the learned counsel appearing for the first respondent, this writ petition is dismissed as infructuous. No costs.

25.04.2023

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1.The Branch Manager,
Syndicate Bank,
Neyveli Branch,
Unit No.II, Bay Nos.3 & 4,
Shopping Complex,
Neyveli – 607 801.
Cuddalore District.

3/4



WEB COPY



W.P.No.2493 of 2020

M.DHANDAPANI,J.
pri

W.P.No.2493 of 2020

25.04.2023