



W.P.No.30688 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.30688 of 2023

S.Jayachandran

.. Petitioner

Vs.

1. The Assistant General Manager
State Bank of India
Asset Recovery Management Branch
No.44, Eldams Road, 1st Floor, Teynampet
Chennai – 600 018.

2. The Branch Manager
State Bank of India
Labbaikudikadu
Perambalur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to permit the petitioner to repay the education loan amount in Account No.35267728232 by monthly installments basis by considering the representation of the petitioner herein dated 20.09.2023.

For the Petitioner

: Mr.R.Nalliyappan



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.R.Nalliyappan, learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that educational loan was obtained by the petitioner and the petitioner is ready to pay the loan amount, but in instalments. The respondents may be directed to permit the petitioner to repay the loan amount in instalments.

3. It is for the petitioner and the Bank to arrive at a solution as to how the mode of payment would be made. The petitioner may approach the Bank and make a representation/application to the Bank. It is for the Bank to consider the same.

4. As far as the notice under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is concerned, the petitioner has the liberty to assail the same before the appropriate forum. In that event, all contentions of the respective parties are kept open.



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5. In the light of that, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

30.10.2023

Index : Yes/No

Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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