



W.P.(MD) No.477 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.(MD)No.477 of 2021

S.Azarudheen

...Petitioner

Vs.

The Branch Manager,
State Bank of India,
S.Tharaikudi Branch,
Kadaladi Taluk,
Ramanathapuram District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondent to waive off the interest of the petitioner Education Loan A/c. No.3150094950 in the respondent bank for the settled payment of Principal Loan Amount Rs.94,000/- from 22.09.2015 to till the date and consequently further direct to issue the No Objection Letter with in a stipulated time prescribed by this Court.

For Petitioner :Mr.S.A.S.Alaudeen

For Respondent :Mr.N.Dilip Kumar
Standing Counsel



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ORDER

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This writ petition has been filed for issuance of writ of mandamus directing the respondents to waive the interest for the educational loan that was taken by the petitioner from the respondent bank on the ground that the petitioner had availed One Time Settlement and paid the entire principal amount of Rs.94,000/-. Consequently, the petitioner is seeking for No Objection letter from the respondent bank.

2. The petitioner had availed the educational loan from the respondent bank during the year 2010 and the respondent bank had sanctioned a sum of Rs.94000/- towards educational loan. The further case of the petitioner is that the petitioner was paying the interest on the loan amount till 31.07.2011. At one point of time, the total amount that was due and payable by the petitioner including both principal and interest stood at Rs.1,34,563/- and at that point of time, the petitioner had offered to pay the entire principal amount of Rs.94,000/- as one time settlement and requested the waiver of the interest portion. Accordingly, the petitioner also paid a sum of Rs.94,000/- on 22.09.2015.



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3. The grievance of the petitioner is that the respondent bank was refusing to issue no due letter and the representation made by the petitioner in this regard also did not evoke any response. Hence, the present writ petition has been filed before this Court seeking for appropriate directions.

4. When the matter came up for hearing on 10.10.2023, this Court directed Mr.Dilipkumar, learned Standing Counsel for the respondent to take notice on behalf of the respondent bank and to take instructions from the respondent bank. The matter was accordingly posted for hearing today.

5. The learned standing counsel appearing for the respondent bank based on the instructions and after going through the records, submitted that there was no offer made by the respondent bank for one time settlement and no such agreement was entered into with the petitioner. Therefore, the learned counsel submitted that the settlement of the sum of Rs.94,000/- by the petitioner, will not release the petitioner from the payment of the loan amount with interest. The learned counsel further



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submitted that the amount payable by the petitioner as on today works out a sum of Rs.59,686/-. It was further submitted that the respondent bank is willing to give one time settlement offer to the petitioner to pay a sum of Rs.25,000/- and on such payment, the respondent bank is inclined to issue no objection letter to the petitioner.

6. The learned counsel appearing for the petitioner submitted that the petitioner wants to give a quietus to this issue and therefore, the petitioner is willing to pay a sum of Rs.25,000/- to the respondent bank.

7. In the light of the above submissions, there shall be a direction to the petitioner to settle the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) within a period of four weeks from the date of receipt of a copy of this order. On such settlement, the respondent bank shall issue no objection letter in favour of the petitioner. If the petitioner fails to make this payment, one time offer made by the respondent bank will lapse and the petitioner has to pay the entire amount due and payable to the respondent bank.



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WEB COPY 8. This writ petition is disposed of with the above directions. No costs.

12.10.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

SM

To

1.The Branch Manager,
State Bank of India,
S.Tharaikudi Branch,
Kadaladi Taluk,
Ramanathapuram District.



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N. ANAND VENKATESH, J.

SM

Order made in
W.P(MD)No.477 of 2021

Dated
12.10.2023