



W.P.(MD) No.12765 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD) No.12765 of 2017

Babu

... Petitioner

-vs-

1.The Authorized Signatory
State Bank of India
Local Head Office
Chennai

2.The Branch Manager
State Bank of India
Arumanai
Kanyakumari District-629 151

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to return the interest subsidy received to the loan account No.30639856600 and the illegal transfer of amount from the FDR held by the petitioner vide 35074765001.



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For Petitioner : Ms.J.Anandhavalli

For Respondents : Mr.Ananth C.Rajesh

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Ms.J.Anandhavalli, learned counsel for the petitioner and Mr.Ananth C.Rajesh, learned counsel for the second respondent.

2. Learned counsel for the petitioner submits that the educational loan was advanced by the respondent – Bank to the petitioner. There was some outstanding amount. The settlement was arrived at before the Lok Adalat. The award was also passed in the Lok Adalat. The petitioner has made part payment towards the same.

3. Learned counsel for the petitioner further submits that the petitioner was entitled for the subsidy amount. He has submitted all the documents to the respondent - Bank. But, the same were not processed by the respondent – Bank and forwarded to the concerned Department.



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4. Learned counsel for the second respondent submits that the petitioner failed to submit the documents as was sought under the letter dated 04.05.2016. As such, the claim for subsidy could not be processed.

5. According to the learned counsel for the petitioner, the said documents were already submitted by the petitioner.

6. We may not enter into the debate as to whether the petitioner had submitted the relevant documents or not.

7. The respondent – Bank had called for the following documents:

- (i) copy of course completion certificate.
- (ii) copy of PAN card.
- (iii) copy of mark sheet.

The petitioner may submit these documents once again to the respondent – Bank within a period of two weeks from today. The respondent – Bank shall, thereafter, process the said documents and submit it to the concerned Department for the sanction of subsidy, as may be permissible under the scheme and law, within a period of four weeks from the date of receipt of the documents.



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8. The writ petition, accordingly, stands disposed of. No costs.

[S.V.G., .C.J.]

[K.K.R.K., J.]

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

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