



WEB COPY



W.P.No.26414 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.26414 of 2022 and
WMP.No.25494 of 2022

N.Gokularaman

... Petitioner

Vs.

The Chief Manager,
State Bank of India,
Villupuram Branch – 00949
Rahman Complex, K.K.Road,
Villupuram

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus forbearing the respondent from effecting recovery from the petitioner's pension.

For Petitioner : Mr.K.Raja

For Respondent : Mr.B.Raghavulu Naidu

ORDER

This writ petition has been filed for direction to the respondent not to effect recovery from the petitioner's pension.

2. The petitioner is a retired employee from the Government



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and is receiving pension. While he was in service, he borrowed educational loan from the respondent for his son's studies. However, he failed to repay the said amount and as such, the respondent is recovering the loan amount from his bank account as per the agreement executed by the petitioner. Therefore, there is absolutely no impediment for the respondent for recovering the loan amount which was borrowed by the petitioner, from his bank account. It is to be noted that only if any recovery is made by the petitioner's employer, it is not permissible to recover from pension.

3. In view of the above, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

15.03.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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The Chief Manager,
State Bank of India,
Villupuram Branch – 00949
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G.K.ILANTHIRAIYAN, J.

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