



W.A(MD)No.1251 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.A(MD)No.1251 of 2018
and
C.M.P(MD)No.8753 of 2018**

The Branch Manager
975, Madurai District Central Cooperative Bank Ltd.,
187, North Veli Street,
Madurai 625 001

... Appellant/4th Respondent

.Vs.

1. Sheik Abdulla ..1st Respondent/Petitioner
2. The Chief Director Represented for
Tamil Nadu Minorities Economic Development Corporation
807, Anna Salai 5th Floor,
Chennai- 600 002.
3. The District Backward Communities
and Minorities Welfare Officer,
District Collectorate Complex,
Theni, Theni District
- 4.The Sub Registrar
Cooperative Societies Sub Registrar Office
Periyakulam, Theni District
5. The Registrar of Cooperative Societies,
170, Periyar EVR High road
Chennai-10



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6. The Chairman cum Managing Director
National Minorities Development and
Finance Corporation, Scope Minar,
Core 1-1st Floor, Laxmi Nagar,
District Centre,
New Delhi

...Respondents 2 to 6/Respondents 1 to 3, 5 & 6

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order passed by the learned Judge in W.P.No.10967 of 2016 dated 02.08.2018.

For Appellant	: Mr.D.Shanmugaraja Sethupathi
For R1&R6	: No appearance
For R2 to R5	: Mr.S.Sachikumar Additional Government Pleader

JUDGMENT

(Order of the Court was made by **P.VELMURUGAN.,J**)

The present Writ Appeal has been filed to set aside the order passed in W.P.(MD)No.10967 of 2016 dated 02.08.2018.

2. It is the case of the first respondent/writ petitioner that the appellant/fourth respondent is insisting for furnishing collateral security, which is



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twice the value of the educational loan amount of Rs.20,00,000/- for his son's M.B.B.S Course at Qingdao University, China. Though the first respondent/writ petitioner had challenged the demand made by the bank regarding the collateral security and other sureties, this Court, by an order, dated 02.08.2018 in W.P(MD) No.10967 of 2016, has granted liberty to re-present the educational loan application before the appellant/fourth respondent and directed the appellant/fourth respondent to consider the same. Challenging the same, the present appeal has been filed.

3. The learned counsel appearing for the first respondent/writ petitioner submitted that he made an application for educational loan on 01.06.2016.

4. The Writ appeal is pending from the year 2018 and hence, we feel that the loan application itself has not served its purpose. However, none appeared on behalf of the first respondent/writ petitioner, though the name of the first respondent is printed in the cause list.



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5. Therefore, considering the nature of relief sought for in the writ petition and also the direction given in the writ petition, this Court feels that nothing survives in the appeal since the appellant/fourth respondent has not disbursed or paid any loan so far to the first respondent/writ petitioner.

6. In view of the same, this Writ Appeal stands closed for the present. No costs.

[P.V.,J.] [K.K.R.K.,J.]
13.08.2024

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

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