



W.P.No.36285 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.36285 of 2025

Chitramary

... Petitioner

Vs.

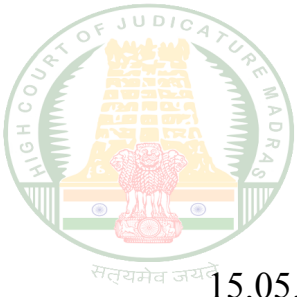
1.The Insurance Ombudsman,
State of Tamil Nadu and Puducherry,
Fathima Aktar Court,
4th Floor, No.453, Anna Salai,
Teynampet, Chennai – 18.

2.The Chief General Manager,
State Bank of India,
Retail Assets Central Processing Centre,
Local Head Office,
Nungambakkam, Chennai – 600 006.

3.The Chief Manager (C & O),
State Bank of India,
Retail Assets Central Processing Centre North,
Kurinji Complex, State Bank Road,
Coimbatore – 641 018.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider and dispose the petitioner's representation/complaint dated



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15.05.2025, in accordance with law and thereby to direct the 2nd and 3rd respondents to waive the remaining loan amount, which was borrowed by her husband namely Palaniappan vide loan account No.40622790877.

For Petitioner : Mr.M.Vijaya Ragavan

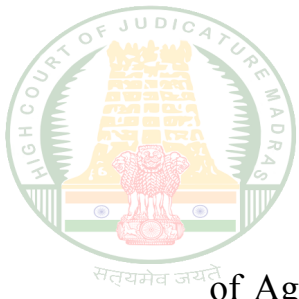
For Respondents : Notice dispensed with

ORDER

This writ petition has been filed seeking to direct the 1st respondent to consider and dispose of the petitioner's representation/complaint dated 15.05.2025, in accordance with law and to consequently, direct the respondents 2 and 3 to waive the remaining loan amount, which was borrowed by the petitioner's husband namely, Palaniappan, vide Loan Account bearing No.40622790877.

2. Since no adverse order is being passed against the respondents, notice to the respondents is dispensed with.

3. The case of the petitioner is that her husband namely, Palaniappan was working as a Sales Group Supervisor in the Department



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of Agricultural Marketing and Agri Business at Coimbatore Officer and he subsequently, died on 27.12.2023, while he was in service, leaving behind the petitioner and the two minor daughters as his legal heirs. Whiles, during the year 2021, the petitioner's husband availed a loan for a sum of Rs.4,20,000/- from the 3rd respondent, vide loan account bearing No.40622790877, by mortgaging his title deed, namely Release Deed bearing Doc.No.7128 of 2018, vide Mortgage Deed bearing MOD No.10485 of 2021 dated 07.12.2021 and was repaying the same, without any default till his death i.e., 27.12.2023. Since the petitioner is the one who is taking care of her two minor daughters, she is facing great hardships even to meet their day to day needs. Further, it is pertinent to note that, she has not been paid with her husband's retirement benefits and thereby, the petitioner is unable to repay the above said loan availed by her husband. Hence, she made an application/representation dated 15.05.2025 before the respondents seeking to consider the insurance claim and to waive the loan amount. As the same evoked no response, the petitioner has come up with this Writ petition.



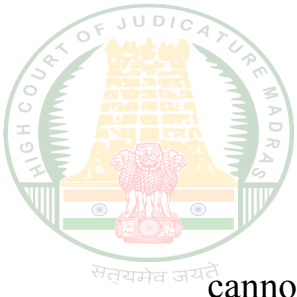
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4. Learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 1st respondent to consider and pass orders on the petitioner's representation, dated 15.05.2025 and to consequently, direct the respondents 2 and 3 to waive the remaining loan amount, which was borrowed by her husband, vide Loan Account bearing No.40622790877, within a time frame that may be fixed by this Court.

5. This Court gave its careful consideration to the arguments advanced by the learned counsel for the petitioner and perused the materials available on record.

6. It is the claim of the petitioner that her husband borrowed a loan from the 3rd respondent for a sum of Rs.4,20,0008/- and subsequently, he died on 27.12.2023 and thereby, for waiver of the said loan, the petitioner made a representation before the 1st respondent. However, for waiver of loan amount, there must be a provision either by the Reserve Bank of India by way of guidelines or any clause in the loan agreement itself. In the absence of the same, the prayer sought for by the petitioner



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cannot be granted by this Court under Article 226 of Constitution of India.

7. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the 3rd respondent for appropriate remedy. No costs.

25.09.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

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M.DHANDAPANI, J.

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