



W.P.(MD).No.15408 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15408 of 2024

T.Karunanithi

... Petitioner

-VS-

**1. The Managing Director,
Punjab National Bank,
Head Office,
Dwaraka,
New Delhi-110075.**

**2. The Manager,
Punjab National Bank,
Pudukkottai Branch,
Pudukkottai District,
Pudukkottai-622001.**

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the Respondent bank to consider the petitioner's representation dated 29.02.2024 and close petitioner's deceased son's education loan availed in the respondent Bank bearing Loan Account Number.039300JB00002346 (Cust. No.APC01156) and release security property plot no.22, Karpaga Nagar, Mettupatti, Alangudi Taluk, Pudukkottai District, given as security by petitioner for his son's education loan.



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For Petitioner : Mr.P.T.Rakesh

For Respondent : Mr.V.Balasubramanian (R2)

ORDER

This writ petition has been filed seeking a direction to the respondent bank to consider the petitioner's representation dated 29.02.2024 and close the education loan of the petitioner's deceased son availed in the respondent Bank bearing Loan Account Number.039300JB00002346 (Cust. No.APC01156) and release the security property in plot no.22, Karpaga Nagar, Mettupatti, Alangudi Taluk, Pudukkottai District, given as security by petitioner for his son's education loan.

2. The case of the petitioner is that petitioner availed loan with the respondent bank for the medical education of his younger son in the year 2013 and he also completed his medical course in the year 2019. All of a sudden, the petitioner's younger son died due to stomach cancer. After his death, the petitioner requested to close the loan and release the property, which was given as security at the time of availing loan. In this regard, the petitioner made a representation to the second respondent dated 29.02.2024. Since the same has not been considered till date, the petitioner filed this writ petition.



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3. Heard the learned counsel on either side.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 29.02.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

20.03.2025

NCC : Yes/No
Index : Yes / No
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WEB CONTENT:-

1. The Manager,
Punjab National Bank,
Pudukkottai Branch,
Pudukkottai District,
Pudukkottai-622001.



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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.15408 of 2024

Dated:
20.03.2025