

**DEVAN RAMACHANDRAN, J.**

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**W.P.(C).No.23398 of 2018**  
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**Dated this the 12<sup>th</sup> day of June, 2019**

**ORDER**

This is a case where a hapless father has approached this Court because a personal loan taken by him in the year 2013, to treat his deceased son, who was concededly an endosulphan victim, is now being sought to be recovered.

2. Apparently, the only reason why the 3<sup>rd</sup> respondent Bank, from which the petitioner has taken this loan, is refusing to give him the benefits applicable to endosulphan victims is because the loan was taken only in the year 2013; whereas in Ext.P4, loans which are taken after July 2011 will be eligible for the benefit of the debt waiver only if the concerned Banks certify that such loans are in continuation of the loan taken prior to it.

3. I do not propose to say anything further on the merits of this case at this point of time because I am of the view that the 1<sup>st</sup> respondent, Secretary to Government, Department of Finance, Secretariat, Thiruvananthapuram, must take a

proactive decision as to how the loan of the petitioner can be written off, because this Court is *prima facie* of the view that the petitioner, whose deceased son was an endosulphan victim, cannot be any further troubled in making payment against a loan which was availed of by him solely for his son's treatment, which however, has unfortunately gone in vain.

4. I, therefore, direct the afore mentioned Secretary to Government to take a decision on this matter and inform this Court by the next posting date.

5. List this case on 24.06.2019.

Needless to say, all action taken by the third respondent Bank for recovery against the petitioner will stand deferred until further orders.

Sd/-

**DEVAN RAMACHANDRAN**  
**JUDGE**