

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 4846 of 2014 (E)

PETITIONER:

RAMSEENA E.S,
AGED 19 YEARS
D/O.MUHAMMED E.S, EDAMANA,
CHIRAKKADAVU P.O.
KOTTAYAM P.O. - 686 520.

BY ADVS.SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND
SRI.G.SUDHEER (THURAVOOR)
SRI.V.HARISH

RESPONDENT:

THE SOUTH INDIAN BANK
CHERUVALLY BRANCH, DOOR NO.499/CP/XI
PAZHAYIDOM, CHERUVALLY - 686 543
KOTTAYAM REPRESENTED BY ITS BRANCH MANAGER.

R1 BY ADV. SRI.GEORGE VARGHESE,SC,SOUTH INDIAN BANK

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P-1: A TRUE PHOTOCOPY OF THE PETITIONER'S ADMISSION
CERTIFICATE ISSUED FROM KARAVALLY INSTITUTE OF TECHNOLOGY.

EXT.P-2: A TRUE PHOTOCOPY OF THE PETITIONER'S RATION CARD.

RESPONDENT(S) ' EXHIBITS

ANNEXURE-I: TRUE COPY OF LOAN SANCTION ORDER DT.20.09.12 ISSUED BY
THE RESPONDENT.

ANNEXURE-II: TRUE COPY OF LETTER DT.10.12.12 GIVEN BY THE
PETITIONER'S FATHER TO THE RESPONDENT.

/TRUE COPY/

P.S TO JUDGE

P.V.ASHA, J.

W.P(c) No.4846 of 2014-E

Dated this the 26th day of June, 2015

JUDGMENT

The petitioner approached this Court seeking direction to the respondent bank to issue loan proforma to the petitioner and grant the same and to communicate the reasons for not granting educational loan applied for. The petitioner in effect is aggrieved by the denial of educational loan by the respondent bank. In the Writ Petition it is stated that the respondent bank is not issuing a proforma for loan despite her repeated request before the bank. In support of her claim, she has produced Ext.P1 admission certificate issued by the Principal, Karavali Institute of Technology, Neerumarga, Mangalore issued on 06.07.2012 and the ration card in order to claim that she belongs to a family of lower strata having lower income.

2. The bank has filed a counter affidavit saying that the petitioner had applied for a loan on 24.08.2012 and had sanctioned a sum of Rs.3,16,000/- as per Annexure I. But it is stated that the petitioner did not avail loan and her father had given in writing as per Annexure-II dated 10.12.2012 stating that

they do not want the educational loan under the scheme of edusum with 16.5% interest and with one personal guarantor. The statement indicates that the petitioner had returned all documents except bank loan paper. The statement is produced as Annexure-II. The counter affidavit along with the statement Annexures I and II was filed on 03.06.2014.

3. Heard the learned counsel appearing for the petitioner as well as the learned Government Pleader. The learned counsel for the petitioner asserts that the bank has not issued the proforma for loan application. At the same time, the learned counsel for the respondent, on the strength of Annexures I and II pointed out that the loan was sanctioned on the basis of the application submitted by the petitioner.

In the above circumstances, I do not find any reason to issue any direction to the petitioner. However, it will be open to the petitioner to approach the bank in case any scheme for educational loan is available.

This Writ Petition is, in the above circumstances, dismissed.

Sd/-
(P.V.ASHA, JUDGE)

rtr/