

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7106/2014 & MP.Nos.1&2/2014

P.Sounther

..Petitioner

Versus

The Chief Manager
State Bank of India
Gudiyatham Branch
15, R.S.Road
Vellore District 606201.

..Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records from the respondent's order Lr.BR/327 dated 25.10.2013, quash the same and consequently, to direct the respondent to enhance the educational loan from Rs.1,38,336/- to Rs.4,65,000/- and sanction to petitioner's daughter.

For Petitioner : Mr.P.Saravanan

For Respondent : No appearance

ORDER

Heard Mr.P.Saravanan, learned counsel for the petitioner and perused the material available on record. Learned counsel for the respondent is called absent today. There was no representation for the respondent - Bank on 11.02.2015 as well as on 12.09.2014.

2.The petitioner has challenged the order of the respondent dated 25.10.2013 by which the respondent has rejected the petitioner's daughter's application for grant of educational loan for the full amount sought for, by stating that the respondent - Bank will sanction loan only to the extent of the fee structure which is approved by the Hon'ble Justice N.V.Balasubramaniam Committee.

3.It is to be noted that the petitioner's daughter is not pursuing her education in Tamil Nadu ; but she has joined the Nursing course at the Oxford College of Nursing at Bangalore. It is stated

that in the State of Karnataka, there is no fee fixing Committee which regulates the fee structure. Therefore, the fee structure as approved by the Hon'ble Justice N.V.Balasubramainam Committee, will not be applicable to the petitioner's daughter's case since she is pursuing her course in the State of Karnataka.

4.In the light of the same, the writ petition is allowed and the impugned order of the respondent dated 25.10.2013 is quashed and the matter is remanded to the respondent for fresh consideration. The respondent shall take note of the fee structure as given by the College where the petitioner's daughter is pursuing her education and if the fee structure is reasonable and within the norms, then the respondent shall consider the petitioner's daughter's application for sanction of full amount in accordance with the guidelines of the respondent/Bank within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To
The Chief Manager
State Bank of India
Gudiyatham Branch
15, R.S.Road
Vellore District 606201.

+ 1 cc to Mr.P. Saravanan, Advocate SR.7609
+ 1 cc to Mr.C.P.R.Kamaraj, Advocate SR.7624

JSV(CO)
Eu 17.02.15

WP.No.7106/2014

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