

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2015

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THE HONOURABLE DR.JUSTICE S.TAMILVANAN

W.P.No.663 of 2014

P.K.Rajendiran

...Petitioner

Vs.

The Branch Manager,
State Bank of India,
Ponparappi, Senthurai Taluk,
Ariyalur District-621 710.

...Respondent

Writ Petition filed under Article 226 of the Constitution to issue a writ of Mandamus or any other writ or order or direction in the nature of writ, directing the respondent bank to grant Educational Loan, to a sum of Rs.4,50,900/- to the petitioner's son by name R.Vishnu Raj to enable him to pursue his higher education of Bachelor of Engineering, Civil (for short B.E.,) for the period 2013 to 2017, in Prathyusha Institute of Technology and Management, Aranvoyaluppam, Tiruvallur, without any further delay.

For Petitioner : Mr.M.V.Muralidaran

For Respondent : Mr.P.D.Audikesavalu

O R D E R

Heard the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondent.

2. This writ petition has been filed under Article 226 of the Constitution of India seeking an order in the nature of Writ of Mandamus or any other writ or order or direction in the nature of writ, directing the respondent/Bank to grant Educational Loan, a sum of Rs.4,50,900/- to the petitioner's son, R.Vishnu Raj, enable him to pursue his higher education of Bachelor of Engineering, Civil (for short B.E.,) for the period, 2013 to 2017 in Prathyusha Institute of Technology and Management, Aranvoyaluppam, Tiruvallur.

3. Learned counsel for the petitioner drew the attention of this Court to the supporting documents such as Ration Card, Voter Identity Card issued by Election Commission of India, Community Certificate and other documents to show that the petitioner's son R.Vishnu Raj was admitted in the aforesaid Engineering College. In the typed set of papers at page number 12, the loan application submitted by the petitioner on behalf of his son Vishnu Raj is also available. All the aforesaid documents are not in dispute, in this writ petition.

4. Learned counsel for the respondent relying on the guidelines issued by the Committee headed by its Chairman the Hon'ble Mr.Justice N.V.Balasubramanian, dated 24.06.2011, argued that the petitioner is not entitled to get exorbitant sum as loan against the guidelines issued for the Educational Institutions towards collecting fees for non-accredited under-graduate Engineering Courses. He drew the attention of this Court and contended that the petitioner's son is only entitled to Rs.32,500/- per year towards the college fees, however, he claimed an exorbitant amount of Rs.4,50,900/-, and according to the counsel for the respondent, exorbitant amount cannot be provided as it is beyond the guidelines given to the Colleges, including the self-financing professional institutions, by the said committee constituted by the Government.

5. Mr.M.V.Muralidaran, learned counsel for the petitioner submitted that the loan application is pending for a long time before the respondent Bank and the petitioner is in need of money, hence the bank at least should have sanctioned the amount for which the petitioner's son is eligible and there is no tenable objection on the side of the respondent, in passing appropriate orders.

6. It is not in dispute that the petitioner's son, studying Civil Engineering (B.E.,) is entitled to get loan as per the Rules. It is not in dispute that for fixing of fee in respect of Self Financing Professional Colleges, the Government constituted a Committee which passed the order dated 24.06.2011, whereby guidelines are given for collecting fees from the students. A copy of the same is also produced before this Court. On the facts and circumstances, the writ petition is disposed of, directing the respondent to consider the loan application and sanction the loan as per Rules of the Bank and also the guidelines given by the Committee in fixing of fee for Self Financing Professional Courses, as per Proc.No.CFF/ Engineering/Fees/56/2011 dated 24.06.2011, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that the petitioner is at liberty to produce any further particulars or details if any and get appropriate orders from the respondent

towards the sanction of loan.

7.This Writ Petition is disposed of accordingly. No order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

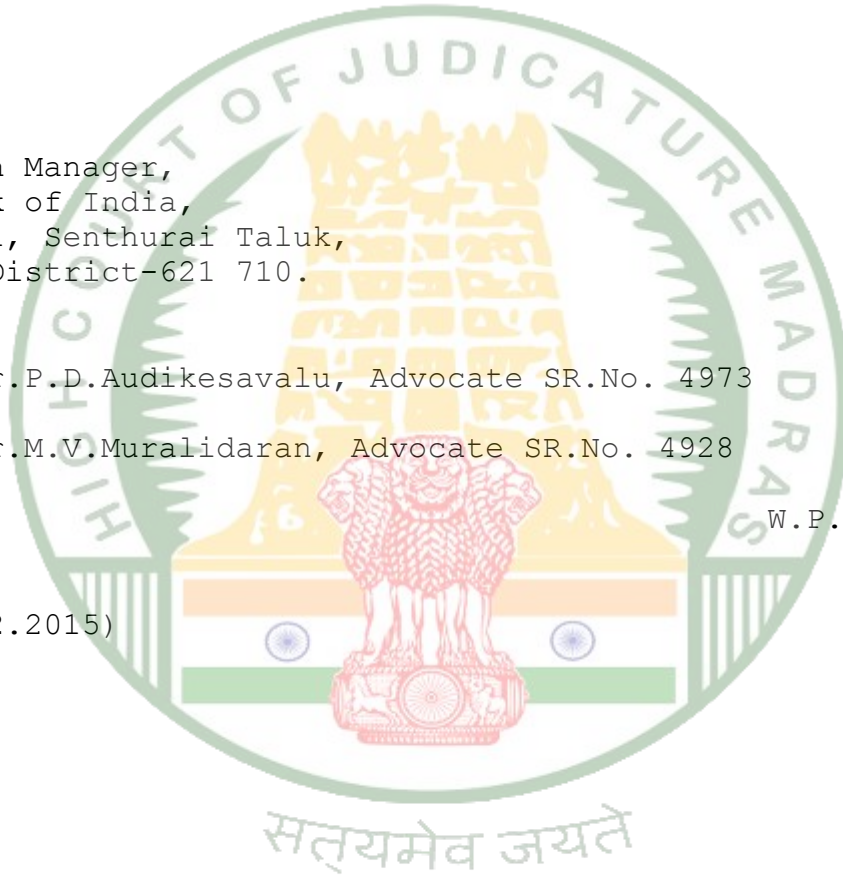
The Branch Manager,
State Bank of India,
Ponparappi, Senthurai Taluk,
Ariyalur District-621 710.

1 CC to Mr.P.D.Audikesavalu, Advocate SR.No. 4973

1 CC to Mr.M.V.Muralidaran, Advocate SR.No. 4928

W.P.No.663 of 2014

RK (CO)
PSI (10.02.2015)



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