

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2015

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THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.10694 of 2015

A.Vengadesh

.. Petitioner

Vs.

1.The Manager(Regional Office),
State Bank of India,
Circletop House, 16, College Lane,
Chennai-600 006.

2.The Branch Manager,
State Bank of India,
18th Main Road Branch,
Anna Nagar West,
Chennai-600 040.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the second respondent relating to his letter under BM/12747/14-15/413 dated 10.02.2015 relating to rejection of the petitioner's educational loan application dated 21.12.2014, sought under the Gyan Jyothi Educational Loan Scheme, quash the same and consequently, direct the second respondent to sanction educational loan of Rs.3,32,000/- (Three lakh thirty two thousand only) pertaining to the academic year 2014-2018 to the petitioner to pursue B.E., Degree at Jaya Engineering College at Thiruninravur, Chennai within a stipulated time.

For Petitioner

.. Mr.D.Jagadeesan

For Respondents

.. Mr.P.D.Adhikesavalu

ORDER

The petitioner's request for educational loan has been rejected on 10.02.2015 by the second respondent on the ground that he got admission under the management quota. Challenging the same, the present writ petition has been filed.

2. The ground on which the request of the petitioner was rejected cannot be sustained in the eye of law in view of the order passed by this Court dated 12.06.2013 in W.P.No.2862 of 2013, wherein the very same issue has been considered and held as under.

" 4. The learned Standing counsel for the respondent by placing reliance on the circular dated 5 October 2012 issued by the State Bank of India submitted that as per the modified instructions, even for admission under management quota, the candidate should take part in the entrance examination conducted by the institution. According to the learned counsel, there is nothing on record to show that the petitioner appeared for entrance examination and thereafter joined the course.

5. The Indian Bank Association has framed detailed regulations with respect to grant of educational loan. The respondent has now come up with a modified instruction with regard to admission under management quota. According to the Bank, the students, who got admission under management quota, should have appeared for the entrance examination conducted by the institution.

6. The modified instruction issued by the State Bank of India appears to have no application in respect of Tamil Nadu. The State of Tamil Nadu has already abolished the system of conducting entrance examination for selecting students. The admission is now made only on verification of the mark list and preparing rank list accordingly. The modified instruction issued by the State Bank of India, therefore cannot be used to negative the loan application submitted by the petitioner, who got admission under management quota.

7. The respondent is directed to consider and dispose of the application submitted by the petitioner for educational loan on merits and as per law and without taking into account the modified instructions. Such exercise shall be completed within a period of fifteen days from the date of receipt of a copy of this order.

8. The writ petition is disposed of with the above direction. Consequently, connected MP is closed. No costs."

3. Following the same, the order impugned is set aside and

the writ petition is allowed. It is made clear that the petitioner is entitled for the eligible amount as per the Regulation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1.The Manager (Regional Office),
State Bank of India,
Circletop House, 16, College Lane,
Chennai-600 006.

2.The Branch Manager,
State Bank of India,
18th Main Road Branch,
Anna Nagar West,
Chennai-600 040.

+2 ccs to Mr.P.D.Audikesavalu, Advocate, sr.47686, 47687
+1 cc to Mr.D.Jagadeesan, Advocate, sr.47558

W.P.No.10694 of 2015

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