

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

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

W.P.No.12085 of 2015

J.Jayapriya (Minor),
daughter of Jayavel
rep.by her mother and natural guardian
Jayachitra ... Petitioner

Vs.

The Branch Manager,
Indian Bank,
Temple View Branch,
Tiruvannamalai Down
and District. ... Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent authorities to sanction education loan amount to the petitioner to pursue her B.Sc Nursing Course in Sri Channe Gowda College of Nursing, NH4 Bye pass, Near Railway gate, Kogilahalli, Kolar - 503 101.

For Petitioner : Mr.G.Rajan

For Respondent : Mr.Kalyanaraman
for M/s.Aiyar and Dolia

O R D E R

After completing plus 2 examination, the petitioner was given admission for the B.Sc Nursing Course in Sri Channe Gowda College of Nursing situate at NH4 Bye pass, Near Railway gate, Kogilahalli, Kolar - 503 101. The petitioner sought for educational loan from the respondent to pursue the studies. As the same was not considered, the present writ petition has been filed by the petitioner.

2. Heard the learned counsel appearing for the petitioner. Learned counsel appearing for the respondent submitted that the request of the petitioner was not considered since as per the norms the petitioner has not attained 60 percentage of marks.

3. This Court is afraid that the above said contention raised by the learned counsel appearing for the respondent cannot be a ground to reject the educational loan to the petitioner. The object and rationale behind the scheme is to give support for continuing

education. It is not as if the College in which the petitioner has joined is not qualified to impart education. The Division Bench of this Honourable Court has also taken note of the subsequent regulations and said that such a condition cannot be sustained in the eye of law. Learned counsel appearing for the petitioner also submitted that the petitioner is ready to give adequate security through her relatives for the educational loan. The said statement is also recorded.

4. Accordingly, the writ petition is disposed of directing the respondent to consider the loan application of the petitioner on merit and sanction the eligible loan without rejecting the same on the ground of not having 60 percentage of marks. The said exercise shall be done by the respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.
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Sd/-
Assistant Registrar (CCC)

/True Copy/

Sub-Assistant Registrar

To

The Branch Manager,
Indian Bank,
Temple View Branch,
Tiruvannamalai Town
and District.

+1 C.C. To MR.G.Rajan, Advocate in SR.NO.62178

+1 C.C. To MR.Aiyar and Dolia, Advocate in SR.NO.62422

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UG(CO)
sd : 19/11/2015

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