

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17050 of 2015

V.Aishwarya

...Petitioner

Versus

The Manager
South Indian Bank Ltd. Gudiyatham
Vellore District

...Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, Directing the Respondent to sanction Educational Loan to the Petitioner for the completion of entire Course of B.E. Computer Science Engineering at Jaya Engineering College C.T.H. Road Prakash Nagar Thiruninravur Chennai within the time frame to be stipulated by this Honourable Court.

For Petitioner : Mr.C.Munusamy

For Respondent : No appearance

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner would state that she has completed her Higher Secondary Education in the month of March 2014 and secured 1062/1200 marks i.e.88.5% through Shrishti Matriculation Higher Secondary School, Brammapuram, Vellore. The petitioner after completing the higher secondary course in the year 2014, aspired to join the course in B.E. Computer Science Engineering and hence, applied through the Tamilnadu Engineering Admission, 2014, conducted by the Anna University, Chennai and the petitioner was invited for counselling scheduled on 03.07.2014 and she was allotted to Jaya Engineering College, Chennai and she also joined B.E. Computer Science Engineering, in the said College.

3. The petitioner would further state that she belongs to Backward Class community and she is also the first person in her

family to be a graduate and her parents are having a poor economic background and intended to apply for loan from the bank to complete her studies. The petitioner, in this regard, also obtained a letter from the Principal of the college regarding fees structure, which works out to Rs.3,76,500/- for four years. The case of the petitioner was also recommended by the Collector of Vellore District vide letter dated 10.12.2014.

4. The petitioner along with fees structure and recommendation given by the District Collector, Vellore has submitted a loan application to the respondent bank, which is a Lead Bank for grant of education loan in that area. However, no response is forthcoming and the petitioner with great difficulties has completed her first year and is finding difficult to pay the college and other incidental fees for continuing the course in the 2nd year and hence, came forward to file this writ petition.

5. Heard the submissions of the learned counsel appearing for the petitioner, who has drawn the attention of this Court to the affidavit as well as the typed set of documents and would submit that since the petitioner is having a poor economic background, educational loan is the absolute requirement so as to enable her to continue and complete her studies and in the event of non consideration of the application by the respondent bank, she may have to discontinue her studies and hence, prays for appropriate orders.

6. The case was listed for admission on 16.06.2015 and on that date, this Court permitted the learned counsel appearing for the petitioner to serve notice on the learned counsel appearing for the respondent. The petitioner was unable to find the counsel appearing for the respondent bank and accordingly, he served private notice dated 16.06.2015 on the respondent bank stating that the notice ordered by this Court is returnable by 19.06.2015 and therefore requesting them to appear either in person or through their advocate, duly instructed, and further intimated that in the event of non appearance, the case will be heard and decided in their absence. The said private notice was also served on the respondent on 18.06.2015 and their name also appears in the cause list.

7. The case is called today and though, the name of the respondent appears in the cause list, there is no representation either in person or through the Advocate.

8. This Court, taking into consideration the above facts and circumstances, especially the plea taken by the petitioner that she intended to be the first graduate from her family and hailing from a poor economic background, directs the respondent to consider

and dispose of the petitioner's application for education loan on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

9. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

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To

The Manager
South Indian Bank Ltd. Gudiyatham
Vellore District

1 CC to Mr.C.Munusamy, Advocate SR.No. 34047

EV (CO)
PSI (22.07.2015)

Sub Assistant Registrar

W.P.No.17050 of 2015



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