

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2015

CORAM

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

W.P.No.28006 of 2014

Afeen Taj

... Petitioner

Vs.

The Branch Manager,
Canara Bank,
Kadambur Branch,
Melpatti Road, Kadambur-635 808,
Ambur Taluk, Vellore District.

... Respondent

Prayer: Petition is filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the respondent in its impugned letter dated 15.09.2014 and quash the same as wholly without jurisdiction, ultra vires, illegal and unconstitutional and consequently, direct the respondent to consider the educational loan application of the petitioner for pursuing B.Sc., Nursing Course in Noorie College of Nursing, Andersonpet, K.G.F-563 113 Kolar District, Karnataka.

For Petitioner : Mr.L.K.Manjunath

For Respondents : Mr.M.V.Chandran

ORDER

The petitioner sought for educational loan for the purpose of pursuing B.Sc., Nursing Course in Noorie College of Nursing, Andersonpet, K.G.F-563 113 Kolar District, Karnataka. The respondent rejected the request made by the petitioner on the sole ground that he having acquired only 50% mark in +2 Examination as against the requisite score of 60% under the management quota. Challenging the same, the present writ petition has been filed.

2. Taking into consideration of the subsequent guidelines, the Division Bench of this Court in BRANCH MANAGER, INDIAN OVERSEAS BANK V. A.RAVI AND OTHERS (2014 (4) CTC 363) held as follows:

"In the Guidelines framed in the Review Meeting held on 27.09.2012 nowhere it is stated that Education Loan can be sanctioned only for those, who have secured 60% and more marks.

7. In the light of the revised policy evolved in the Review Meeting held on 27.9.2012 at the instance of the Honourable Finance Minister, Government of India, we are unable to find any reason to interfere with the order of the learned single Judge dated 20.6.2013 in allowing the Writ Petition. Consequently, this Writ Appeal is dismissed, confirming the Order dated 20.6.2013 made in W.P.No.923/2013. The Appellant Bank is directed to process the Application of the First Respondent without reference to the objections raised and sanction Education Loan as per the eligibility of the First Respondent, within a period of two weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is closed."

3. The above reasoning of the Honourable Division Bench is applicable to the case on hand. Accordingly, the order impugned is set aside and the respondent is directed to proceed with the application of the petitioner without reference to the reasons assigned in the order impugned and take appropriate steps to sanction educational loan within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

raa

To

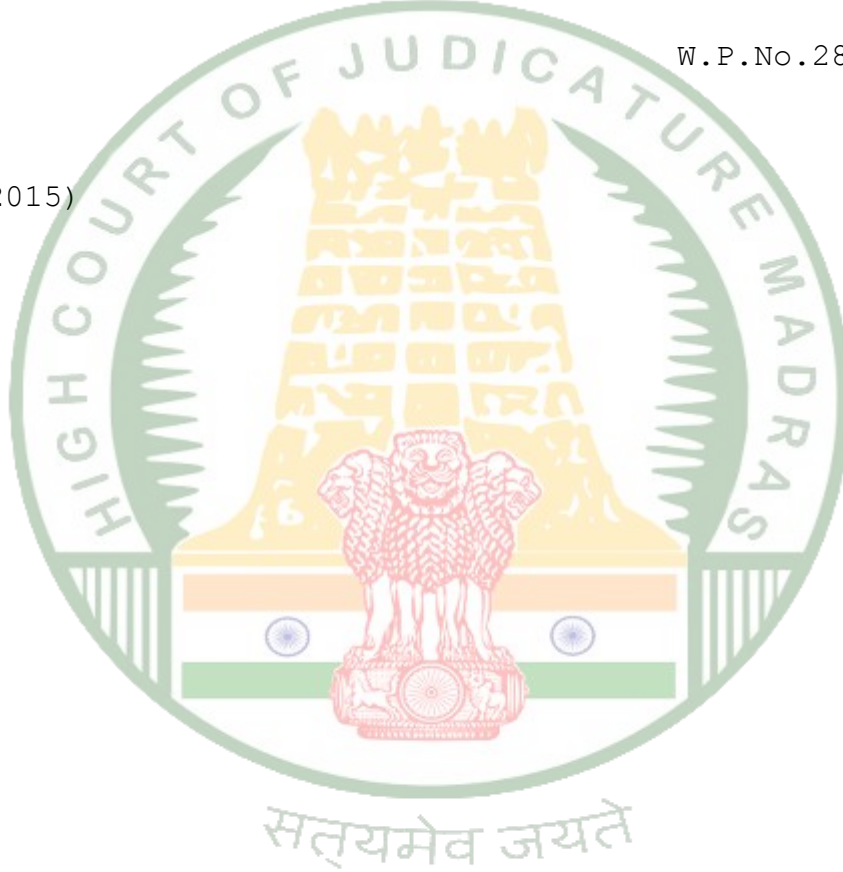
The Branch Manager,
Canara Bank,
Kadambur Branch,
Melpatti Road, Kadambur-635 808,
Ambur Taluk, Vellore District.

+1cc to Mr.L.K.Manjunath, Advocate, S.R.No.57951

+1cc to Mr.M.V.Chandran, Advocate, S.R.No.57953

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TM(CO)
CA(04/11/2015)



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