

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.NO.7573 OF 2015

M.Jagatish

.. Petitioner

Vs

1. The General Manager (NW-1)
State Bank of India,
Local Head Office, 16, College Lane,
Chennai 600 006.
2. The Officer-in-charge,
RACPC, State Bank of India,
Iyyappanthangal,
Near Porur.
3. The Branch Manager,
State Bank of India,
Sri Lakshmi Complex,
Plot No.6/PC-3-3, 60 Ft. TNHB Main Road,
Avadi, Chennai - 600 054.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the second and third respondents to consider the petitioner's educational loan applications dated 13.10.2011 and 12.09.2013 to sanction the educational loan to the petitioner who has already paid all the first year fees towards his educational institution.

For Petitioner : Mr.C.Arivazhagan

For Respondents : Mr.P.D.Audikesavalu,
Standing Counsel

O R D E R

Heard Mr.C.Arivazhagan, learned counsel appearing for the petitioner and Mr.P.D.Audikesavalu, learned Standing Counsel for the respondents.

2. The petitioner seeks for a direction upon the second and third respondents to consider his educational loan applications dated 13.10.2011 and 12.09.2013 to sanction the educational loan to him.

3. The petitioner is pursuing his final year in B.E. (Mechanical) in Indira Institute of Technology at Thiruvallur and he has been allotted to the said college pursuant to the counselling conducted by the Anna University. The petitioner has joined the course in 2011 and he is going to complete his final year this year. It is submitted that he has submitted the application in the year 2011 for grant of educational loan, which was returned due to some reasons and subsequently, second time he has submitted application for grant of loan and by that time he is going to complete the course itself and the respondents Bank has not granted educational loan to the petitioner.

4. The learned Standing Counsel appearing for the respondents submitted that the petitioner has paid entire fees for the course and he is going to complete the course and therefore, he was not granted educational loan. It is submitted that the education loan was not sanctioned to the petitioner, since he has not pursued his loan application earlier and now that the course is going to be over and therefore, there will be a difficulty in sanctioning the loan. It is further submitted by the learned counsel for the respondents, on instructions, that if the petitioner has not paid the fees to the college or if the petitioner is able to establish that he borrowed private loan or loan from other sources and out of which, he has paid the fees, the bank is willing to consider the application. The learned counsel for the respondents has handed over an application format of educational loan to the learned counsel for the petitioner to be submitted by the petitioner.

5. In the light of the above, the petitioner is directed to submit a fresh application in the format now handed over by the learned Standing Counsel for the respondents Bank to the Bank within a period of one week from the date of receipt of a copy of this order and on receipt of the application, the respondents Bank shall consider the loan application within a period of two weeks therefrom subject to the condition that the petitioner produces proof to show that he paid the fees by obtaining loan from private parties and on producing the same, grant educational loan to the petitioner in accordance with the guidelines.

6. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The General Manager (NW-1)
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 3. The Branch Manager,
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Plot No.6/PC-3-3, 60 Ft. TNHB Main Road,
Avadi, Chennai - 600 054.
- 2 cc to Mr. C.Arivazhagan, Advocate, SR.No.17739/15
1 cc to Mr. P.D.Audikesavalu, Advocate, SR.No.1755/15

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