



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD) No.15988 of 2014

WEB COPY

G.Dhasaradhasakkaravarthi

... Petitioner

Vs.

1.The Deputy Zonal Manager,
Bank of India, Coimbatore Zone,
Star House, Oppanakkara Street,
Coimbatore 641 001.

2.The Branch Manager,
Bank of India, Periyakottai,
Sivagangai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of certiorarified mandamus calling for the records relating to the impugned order passed by the first respondent in Ref.CBE.Zo:OPNS:NA:108 Dated 5.11.2012 and quash the same as illegal and consequently direct the respondents to sanction and disperse the educational loan of Rs.92,400/- to the petitioner for persuing his Diploma course in Mechanical Engineering within a stipulated time limit and to pass such further orders as this Court may deem to fit and proepr in the facts and circumstances of the case.

For Petitioner :Mr.L.Shaji Chellan

For Respondents :Mr.T.Govindasamy

O R D E R

In this writ petition the petitioner is seeking for issuance of a Writ of certiorarified mandamus calling for the records relating to the impugned order passed by the first respondent in Ref.CBE.Zo:OPNS:NA:108 Dated 05.11.2012 and quash the same as illegal and consequently direct the respondents to sanction and disperse the educational loan of Rs.92,400/- to the petitioner for pursuing his Diploma course in Mechanical Engineering within a stipulated time limit.

2. Heard the learned Counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The petitioner would contend that the rejection of educational loan to the petitioner on the ground of non repayment of loans already availed by family members is in violation of principles of natural justice and that will not bind the petitioner in any way and hence, he prays that the respondent bank ought to have extended their helping hands to the petitioner by sanctioning education loan.



4. The learned counsel for the respondent would state that in view of non-repayment of agricultural loan and educational loan by the petitioner's family, the respondent has rightly passed the order rejecting to sanction educational loan in respect of the petitioner.

5. At the outset as pointed by the learned counsel for the respondent the educational loan which was already granted to the sister of the petitioner has not been repaid. Therefore, definitely the petitioner cannot insist the bank to sanction educational loan to the petitioner.

6. It is further submitted by the learned counsel for the respondent that the petitioner has not approached the authorized bank in that area as per service area norms.

7. Considering the submissions made on behalf of either side, this petition is closed giving liberty to the petitioner to approach the concerned bank in the service area if he is otherwise eligible. No costs. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

TO

1. The Deputy Zonal Manager,
Bank of India, Coimbatore Zone, Star House,
Oppanakkara Street, Coimbatore 641 001.

2. The Branch Manager, Bank of India, Periyakottai,
Sivagangai District.

+1cc to MR. L. SHAJI CHELLAN, ADVOCATE IN SR : 10512

+1cc to MR. T. GOVINDASAMY, ADVOCATE IN SR : 10447

Ses

SR : 18.03.2015 : 2p/5c

W.P. (MD) No. 15988 of 2014
04.03.2015