

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.1683 of 2016

C.Gopi

... Petitioner

vs.

The Branch Manager,
State Bank of India,
Nangavalli Branch,
Nangavalli, Mettur Taluk,
Salem District.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent herein to provide the petitioner, the loan application form for educational loan and on submission of the said loan application to process the same and grant educational loan within a stipulated time as fixed by this Court.

For Petitioner : Mr.M.R.Thangavel
For Respondent : Mr.S.Sethuraman

ORDER

The petitioner has come up with the present writ petition for the issuance of writ of mandamus, directing the respondent herein to provide him the loan application form for educational loan and on submission of the said loan application, to process the same and grant educational loan within a stipulated time as fixed by this Court.

2. It is the case of the petitioner that he hails from a poor family and his father is chronically ill and his income is not sufficient even for the day to day expenses of his family. With a great difficulty, the petitioner completed his school education in March, 2015. Thereafter, he got admitted in K.S.R. College of Engineering, Tiruchengode, Namakkal District. He is the first person in his family who joined in a college. Presently, he is undergoing I year B.E / B.Tech course in the branch of Mechanical Engineering. Since his father could not meet out the expenditure incurred towards his education, they decided to apply for loan under Educational Loan Scheme. Thereafter, he obtained course expenditure certificate from the college administration and approached the respondent bank seeking educational loan. The respondent bank instructed him to

open a savings account in his name along with required documents. Thereafter, the petitioner requested the respondent bank to provide the application form for opening the savings account and for educational loan. But, the respondent bank avoided to issue application form. In this regard, the petitioner made a representation dated 22.12.2015 to the respondent bank. But, the said representation has not been considered so far. Hence, the petitioner has come up with the present writ petition seeking a direction to the respondent bank to provide loan application form for educational loan and on submission of the said loan application, to process the same and grant educational loan within a stipulated time as fixed by this Court.

3. Today, when the matter was taken up for consideration, learned counsel appearing for the petitioner made his submissions reiterating the averments made in the affidavit filed in support of the writ petition.

4. I have heard the learned counsel appearing for the respondent also.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court is constrained to pass the following order:-

The petitioner is permitted to approach the respondent bank within a period of one week from the date of receipt of a copy of this order and the respondent bank shall furnish the petitioner with an application form for educational loan and the petitioner shall fill up the form by enclosing necessary documents and submit the same to the respondent bank immediately. On receipt of the same, the respondent bank is directed to consider and dispose of the application for educational loan, if papers are in order, in accordance with law, within a period of six weeks thereafter and communicate the decision taken by them to the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sbi

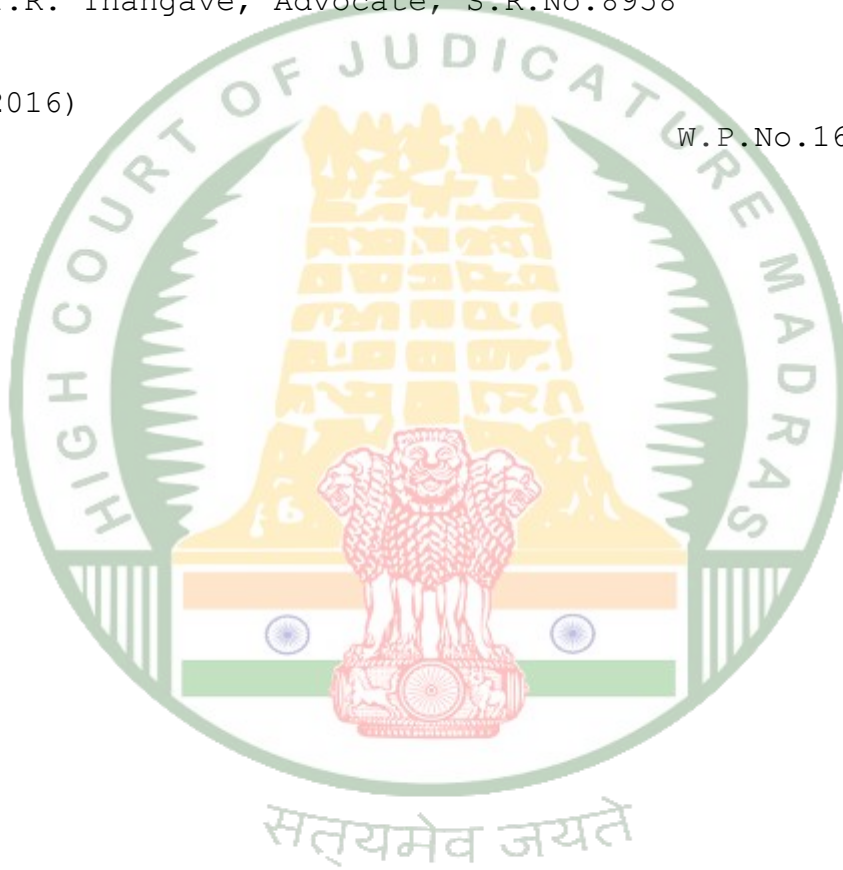
To

The Branch Manager,
State Bank of India,
Nangavalli Branch,
Nangavalli, Mettur Taluk,
Salem District.

+lcc to Mr.S. Sethuraman, Advocate, S.R.No.9301
+lcc to Mr.R. Thangave, Advocate, S.R.No.8958

KK(CO)
EU(25/02/2016)

W.P.No.1683 of 2016



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