

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.1824 of 2016

K. Janani

... Petitioner

Vs.

1. The General Manager,
Central Bank of India,
Montieth Road,
Egmore,
Chennai 600 008.
2. The Regional Manager,
Regional Office,
Central Bank of India,
Montieth Road,
Egmore, Chennai 600 008.
3. The Branch Manager,
Central Bank of India,
Sembium Branch,
Chennai-11.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 3rd respondent to provide with an Education Loan Application Form and thereafter to consider and sanction the Educational Loan to pursue the course of BDS with the Education Loan Scheme as approved by the Reserve Bank of India .

For Petitioner : Mr.S. Patrick

For Respondents : Mr. T.A.Srinivasan
for M/s.Sree and Associates.

ORDER

The Petitioner has filed this Writ Petition seeking for a mandamus upon the respondents to direct the 3rd respondent to provide with an education loan application form and thereafter to consider and sanction the educational loan to pursue the

course of BDS with the Education Loan Scheme as approved by the Reserve Bank of India .

2. Heard Mr.S.Patric, learned counsel appearing for petitioner and Mr.T.A.Srinivasan, for M/s.Sree and Associates appearing for the respondents.

3. According to the petitioner, the petitioner, on completion of plus two had joined the BDS Course in Meenakshi Ammal Dental College in Management Quota. Her parents borrowed money and enabled her to complete her first year BDS Course. As the petitioner needs education loan from the bank to continue and complete the remaining three years BDS Course, she approached the 3rd respondent viz., Branch Manager, Central Bank of India, Sembium Branch, Chennai-11 and she was informed that education loan application form will be given only if the parents of the applicant are income tax assesseees. Later she came to know from her classmates that they had availed education loan from various other banks, where their parents have not paid income tax and she has been advised to send a written request to the 3rd respondent. Accordingly, the petitioner sent a written request to the 3rd respondent on 18.12.2015 requesting for sanctioning of loan and the same was received by him on 28.12.2015. But till date, the petitioner was not provided with education loan application form. Hence the petitioner has come forward with the present Writ petition.

4. Today, when the matter is taken up for consideration, learned counsel for the respondent Bank, on instructions, submitted that if the petitioner approaches the Bank, the education loan application form would be issued and her request would be considered, if she is eligible for the education loan.

5. In view of the submissions made by the learned counsel for the respondents, this Court directs the petitioner to approach the Bank within a period of one week from the date of receipt of a copy of this order and on such approach, the respondent Bank is directed to issue educational loan application and the petitioner is directed to submit the said application form within a period of two weeks thereafter along with necessary particulars and on such submission of loan application, the respondent bank is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of six weeks thereafter.

6. With the above direction, this Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The General Manager,
Central Bank of India,
Montieth Road,
Egmore,
Chennai 600 008.
2. The Regional Manager,
Regional Office,
Central Bank of India,
Montieth Road,
Egmore, Chennai 600 008.
3. The Branch Manager,
Central Bank of India,
Sembium Branch,
Chennai-11.

+1cc to M/S.Sree and Associates, Advocate, S.R.No.8940
+1cc to Mr.S.Patrick, Advocate, S.R.No.8948

ctk(CO)
srg(12/02/2016)

W.P.No.1824 of 2016

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