

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20655 of 2016

N.R.R.Shri Dheevi

... Petitioner

Vs.

1 The General Manager,
Indian Bank,
Head Office,
Chennai – 600 014.

2 The Branch Manager,
Indian Bank,
14-A, Sethurastha,
Vedharanyam Town & Taluk,
Nagapattinam District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to sanction the Educational loan of Rs.11,40,000/- for the completion of the Bachelor of Dental Studies course of the petitioner on the loan application submitted by the petitioner dated 11.11.2015.

For Petitioner : M/s.I.Bobby Portia
For Respondents : Mr.Jeyesh 'B' Dolia

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that she is the first year student of BDS Course in Sri Venkateswara Dental College and Hospital at Thalambur, Chennai – 600 103 and she had secured 97.4% marks in SSLC examination and 95.25% marks in Higher Secondary examination and she is hailing from a remote area in Tamil Nadu namely, Vedharaniam. The petitioner got admission under the 'Government Quota' in the said college and the educational fee for the four year course is Rs.11,40,000/- and the fee for the first year is Rs.3,00,000/- and since the petitioner is hailing from a poor family, she approached the second respondent for educational loan and despite her repeated representations, no response is forthcoming and hence, came forward to file this writ petition, praying for sanction of educational loan.

3.The matter was listed on 18.07.2016 and on that date, Mr.Jeyesh 'B' Dolia of M/s.Iyer and Dolia, learned Standing Counsel appearing for the respondents sought for time to get necessary instructions and on getting the same, he would submit that the sister of the petitioner, namely, R.Durgadevi had availed educational loan and she committed default and as on 30.06.2016, she is due and payable a sum of Rs.1,27,389.10 and therefore, the application submitted by the petitioner has not been considered and prays for

dismissal of the writ petition.

4.In response to the said submissions, the learned counsel appearing for the petitioner on instructions, would submit that the petitioner is willing to offer sufficient collateral security and also undertakes to clear the loan of her sister and would further submit that the petitioner will also file an affidavit before the second respondent in that regard and taking into consideration of the same, appropriate orders may be passed.

5.This Court has carefully considered the rival submissions and also perused the materials placed before it.

6.In the light of the submissions of the learned counsel appearing for the petitioner on instructions, this writ petition is disposed of, with the direction that the petitioner shall file an affidavit before the second respondent, within a period of one week from the date of receipt of a copy of this order, undertaking to clear the loan of her sister R.Durgadevi in account no.945494165 and also offer sufficient collateral security for the loan to be sanctioned to her and the second respondent on receipt of the same, is directed to consider

M.SATHYANARAYANAN,J.

and dispose of the loan application, as expeditiously as possible, by
taking into consideration that the petitioner is in dire need of
educational loan.

7.The writ petition is disposed of accordingly. No costs.

30.08.2016

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Index: Yes/ No
Internet: Yes/ No

Note: Issue order copy on 02.09.2016.

To

- 1 The General Manager,
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