

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.2067 of 2016

L.Sharmila

... Petitioner

Vs.

1. The Senior Manager,
Indian Bank,
50, Commercial Road,
Udhagamandalam,
Nilgiris District.
2. The Principal,
SNT Global Academy of Management
Studies & Technology,
671/1, Chettipalayam Pirivu,
Near L&T Bypass Junction on NH,
Madukkarai,
Coimbatore-641 105.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the Letter dated 6/1/2016 issued by the 1st Respondent, quash the same and consequently direct the 1st Respondent to process the Loan Application dated 28/9/2015 submitted by the Petitioner and grant the financial aid as sought for therein within a time frame as may be fixed by this Court.

For Petitioner : Mr.R.Nagasundaram
For 1st Respondent : Mrs.Rita Chandrasekar
for M/s.Aiyar & Dolia

ORDER

The Petitioner has filed this Writ Petition seeking for a mandamus upon the 1st respondent to process the loan application dated 28.9.2015 submitted by the petitioner and grant the financial aid as sought for therein within a time frame as may be fixed by this Court.

2. Heard Mr.R. Nagasundaram, learned counsel appearing for petitioner and Mrs.Rita Chandrasekar for M/s.Aiyar and Dolia appearing for the 1st respondent.

3. According to the petitioner, she is hailing from a economically weaker family. On completion of her graduation in B.Com., the petitioner joined M.B.A. Post graduation course in the 2nd respondent Institution for the academic year 2015-2017. The fee structure was issued by the 2nd respondent for the course at Rs.3,00,500/-. Owing to her poor back ground and inability to meet the course fee by her family, the petitioner approached the 1st respondent Bank for grant of educational loan vide her loan application dated 28.9.2015 along with all requisite particulars and certificates. In the meantime, the application for sitting for the examination has been made and hall ticket is awaited from the University. Whiles, the 1st respondent through its communication dated 7.1.2016, informed the petitioner that her loan application has been returned by the higher authority on the ground that the petitioner's candidature is not found to be meritorious. Aggrieved against the impugned communication passed by the 1st respondent, the petitioner is before this Court with this writ petition.

4. Today, when the matter is taken up for consideration, learned counsel appearing for the 1st respondent Bank, on instructions, submitted that the loan application of the petitioner could not be processed since the petitioner has scored minimum marks

5. In my considered opinion, the 1st respondent ought not to have returned the application of the petitioner merely on the ground that the candidature is not meritorious. The first respondent is bound to consider the application and pass appropriate orders. Therefore this Court directs the petitioner to resubmit her loan application along with a copy of this order with all requisite documents, within a period of one week from the date of receipt of a copy of this order and on such resubmission of application, the 1st respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of two weeks thereafter.

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

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

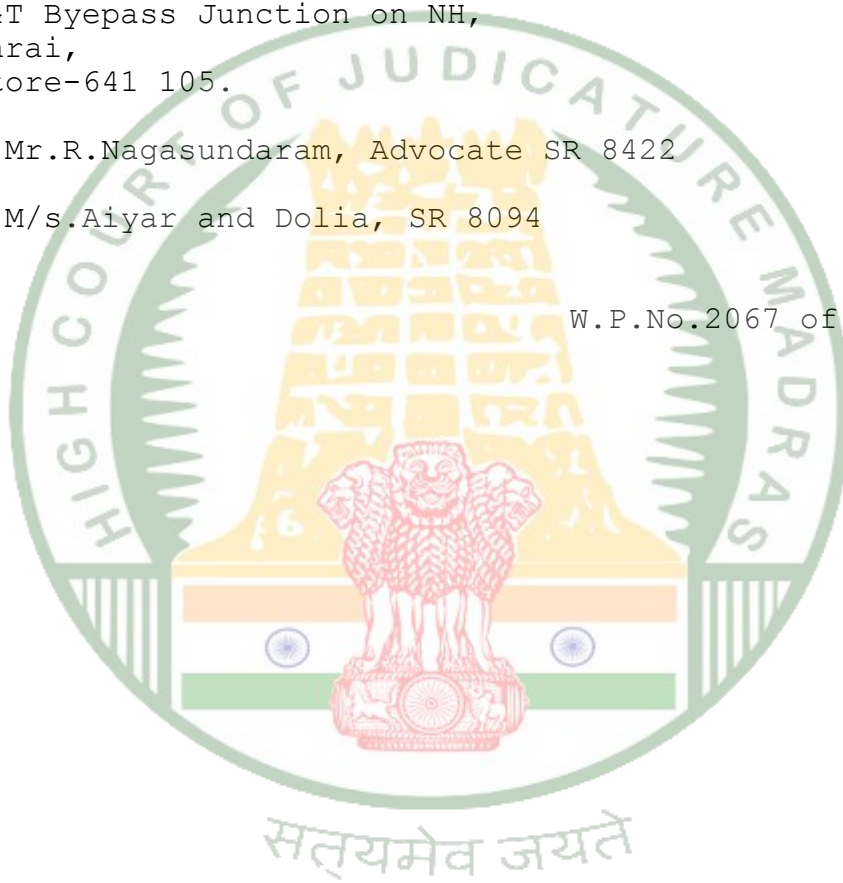
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+ 1 cc to Mr.R.Nagasundaram, Advocate SR 8422

+ 1 cc to M/s.Aiyar and Dolia, SR 8094

kji(co)
prk25/2

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