

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.40749 of 2015

& M.P.No.1 of 2015

P.Muthuvelan

... Petitioner

vs.

The Branch Manager
Indian Overseas Bank
Kattimedu Branch
Thiruvarur District

... Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to provide educational loan to the petitioner sum of Rs.3,49,915/- (Three Lakhs Forty Nine Thousand and Nine Hundred and Fifteen only) for pursuing B.Tech Course in 2015-2016 to 2018-2019 within a stipulated time and to pay the loan and award cost.

For Petitioner : Mr.P.Vijendran
For Respondent : Mr.Benjamin George

O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus, directing the respondent to provide educational loan to the petitioner for a sum of Rs.3,49,915/- (Three Lakhs Forty Nine Thousand and Nine Hundred and Fifteen only) for pursuing B.Tech Course in 2015-2016 to 2018-2019 within a stipulated time.

2. The case of the petitioner is that the petitioner is studying I year B.Tech Degree course at Kumaraguru College of Technology, Chinnavedampatti, Coimbatore District and the period of Degree course is four years, commencing from the academic year 2015 -2016 to 2018-2019. The fees for I year is Rs.1,04,215, for II year Rs.79,900, for III year Rs.79,900/- and for IV year Rs.79,900/-, thus totalling Rs.3,49,915/-. The petitioner's father has given a representation to the District Collector on 2.11.2015 seeking educational loan and the said representation has been forwarded to the respondent for consideration. The petitioner also sent a representation to the

Zonal Manager of Indian Overseas Bank on 5.11.2015 for sanction of education loan, but they are not ready to give education loan to the petitioner. Further, the respondent Bank has sanctioned education loan to few students, but the petitioner alone has been denied education loan. Hence, he has come forward with this Writ Petition with the aforesaid prayer.

3. When the matter is taken up hearing, the learned counsel appearing for the respondent submits that the petitioner's mother has availed loan from the bank and she has not repaid the loan and that is the reason why, the petitioner's application was not considered. If the petitioner makes a fresh application to the respondent for education loan, the same would be considered by them.

4. I have heard the submissions made on either side and also gone through the entire matter.

5. Considering the aforesaid factual aspects, this Court is of the view that non-repayment of loan by the mother of the petitioner is nothing to do with the application filed by the petitioner for education purposes. Hence, this Court directs the petitioner to give a fresh representation to the respondent Bank seeking education loan, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent bank is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1 The Branch Manager
Indian Overseas Bank
Kattimedu Branch,
Thiruvavarur District

+1 cc to Mr.F.B.Benjamin George Advocate sr.6625
+1 cc to Mr.P.Vijendran Advocate sr.6736

W.P.No.40749 of 2015

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