

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.2749 of 2016

T.Dharman

... Petitioner

vs.

1.The Branch Manager,
State Bank of India,
Sundarampalli Branch,
Tirupattur Taluk,
Vellore District.

2.The Principal,
Dr.M.G.R.Educational and
Research Institute University,
Maduravayal,
Chennai -95.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to issue application for educational loan for petitioner's son to the petitioner and further direct to sanction a sum of Rs.4,00,000/- to the petitioner son's educational loan.

For Petitioner : Mr.I.Paul Nobel Devakumar

For Respondents : Mr.P.D.Audikesavalu (R1)

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ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to issue application and to sanction a sum of Rs.4,00,000/- for his son's educational loan.

2. It is the case of the petitioner that his son by name D.Velarasu is studying 1st year B.Tech (Bio-Technology) Engineering in the second respondent College for the academic year 2013-14. The second respondent College is approved by Government of Tamil Nadu and also a deemed University under Section 306 of the University Grants Commission Act, 1956. While so, the petitioner approached the first respondent and sought for educational loan for a sum of Rs.4,00,000/- to his son and requested to furnish an application form. In spite of several requests, the first respondent did not send any communication with regard to educational loan for the petitioner's son and also refused to give the loan application, which compelled the petitioner to approach this court with the present writ petition for the above stated relief.

3. Learned counsel for the petitioner submitted that the respondent Bank is bound by the guidelines issued by the Reserve Bank of India in respect of educational loans. Learned counsel for the petitioner further submitted that unless the respondent Bank disburses the loan, the petitioner would not be in a position to pay the fees to the College.

4. When the matter came up for consideration, the learned counsel for the first respondent submitted that the first respondent has already issued a loan application form to the petitioner.

5. In view of the above, the petitioner is permitted to submit the educational loan application with necessary documents along with the copy of this order within one week from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the same and pass an appropriate order with regard to sanction of educational loan to the petitioner's son, on merits and in accordance with law, within a period of four weeks thereafter.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

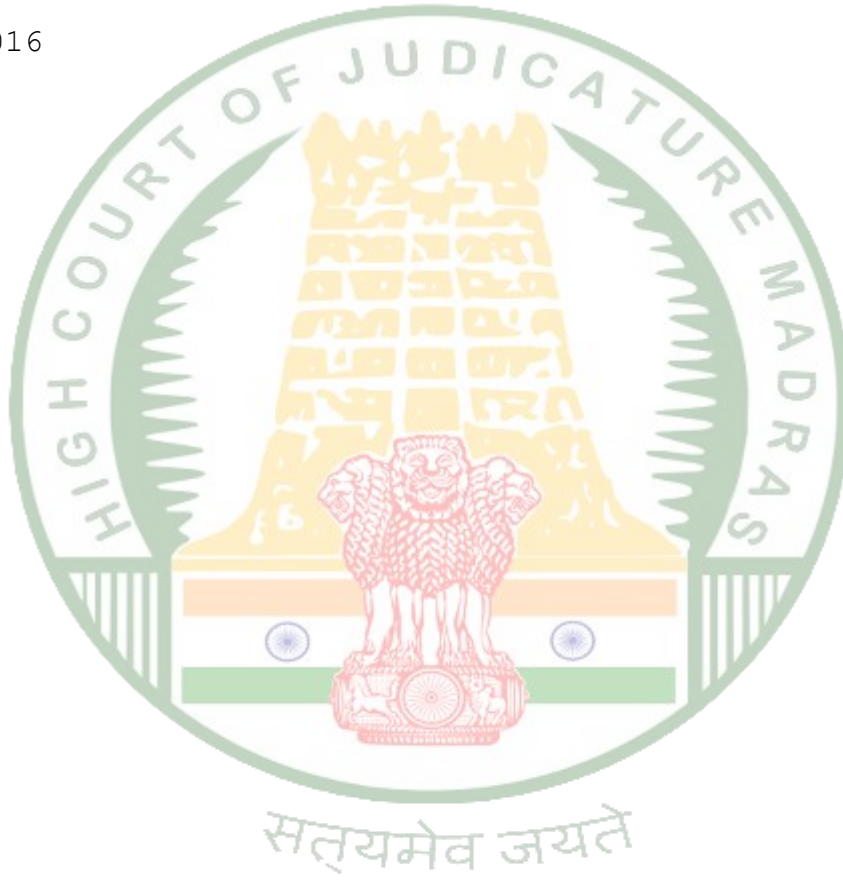
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+1 cc to Mr.I.Paul Noble Devakumar Advocate sr.9267

+1 cc to Mr.P.D.Audikesavelu Advocate vide sr.9311

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