

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3644 of 2016

V.Kiruthika

... Petitioner

vs.

1.The Branch Manager,
Union Bank of India,
Salamedu Branch,
Indira Towers (Opp Collectorate),
Villupuram, Villupuram District.

2.The Principal,
Sri Aurobindo College of Nursing,
TNPL Road, Punnam Chatram,
Karur-136.

... 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 based on the petitioner's representation dated 4.10.2016 to the petitioner and further direct to sanction educational loan for a sum of Rs.3,42,000/- to the petitioner.

For Petitioner : Mr.I.Paul Nobel Deva Kumar

For Respondents : Mr.S.Parthasarathy,
for R.1

ORDER

The petitioner has come up with the present writ petition for the issuance of writ of mandamus, directing the first respondent to issue application form for educational loan based on her representation dated 4.10.2016 and further to direct the first respondent to sanction educational loan for a sum of Rs.3,42,000/-.

2. It is the case of the petitioner that she was admitted to I Year B.Sc. Nursing Course in the second respondent college. The second respondent college has been

recognised by the Government of Tamil Nadu and affiliated to the Tamil Nadu Dr.M.G.R. Medical University, Chennai and also approved in Tamil Nadu Nursing Council and Indian Nursing Council, New Delhi. She has approached the first respondent seeking educational loan for studying the said course. She has requested the first respondent to sanction a sum of Rs.3,42,000/- and sought to give loan application form. But, the first respondent did not send any communication regarding his educational loan and refused to give the loan application. In this regard, she made a representation dated 4.10.2016 to the first respondent seeking educational loan. But, the first respondent rejected the said request of the petitioner. Hence, the petitioner has come up with the present writ petition for the relief set out earlier.

3. The first respondent has filed a counter stating that on receipt of the requisition given by the petitioner, the first respondent scrutinized the same and found that the second respondent institution is not figured in the list of institutions, eligible for sanction of educational loan. Hence, the first respondent rejected the claim of the petitioner. Thus, the first respondent sought for the dismissal of writ petition.

4. Today, when the matter was taken up for consideration, learned counsel appearing for the petitioner submitted that earlier, in respect of the same college and in respect of the same course, a student viz., Annadurai has approached this Court by filing a writ petition in W.P.No.9065 of 2013 for sanction of educational loan and this Court, by an order dated 25.7.2013 in the said writ petition, has given a direction to the State Bank of India, the first respondent in the said writ petition, to consider and dispose of the loan application submitted by him. When that being so, there cannot be any impediment for the first respondent herein to consider the petitioner 's request for educational loan. In this regard, learned counsel appearing for the petitioner has produced the copy of the order made in W.P.No.9065 of 2013.

5. I have heard the learned counsel appearing for the first respondent also.

6. Considering the facts and circumstances of the case and in view of the said submission made by the learned counsel appearing for the petitioner, this Court directs the first respondent bank to issue the application form for educational loan to the petitioner within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the petitioner is directed to fill up the application form and submit it to the first respondent bank within a period of one week thereafter. On such submission of the application form, the

first respondent is directed to consider the same and pass appropriate orders for sanction of educational loan as per the rules, within a period of four weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi

To

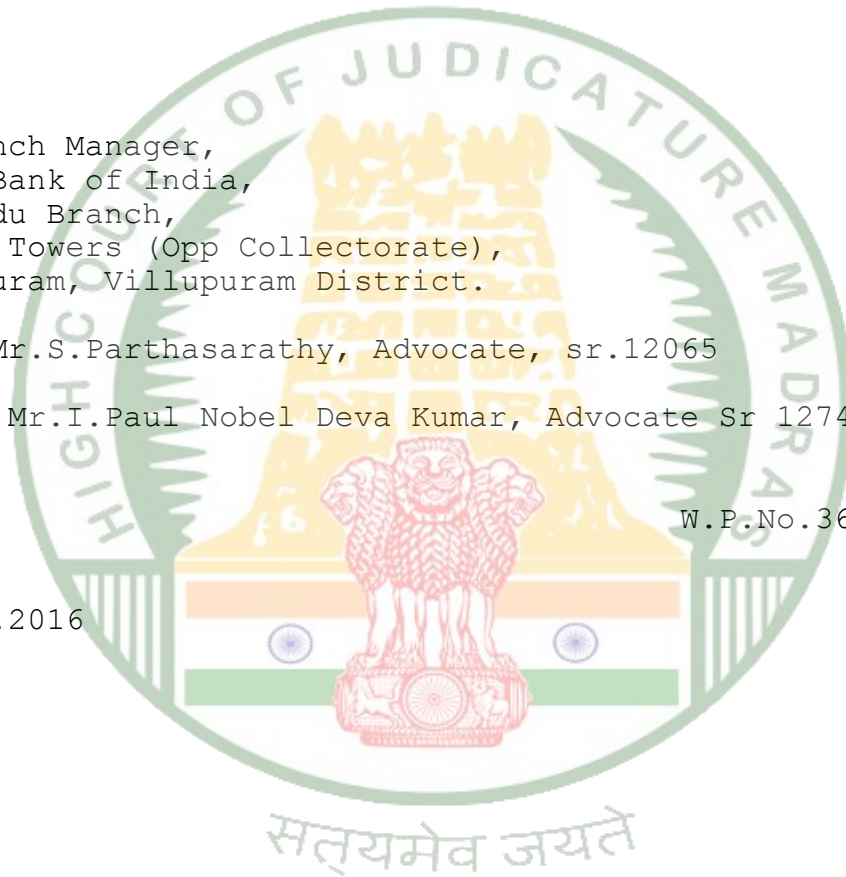
1.The Branch Manager,
Union Bank of India,
Salamedu Branch,
Indira Towers (Opp Collectorate),
Villupuram, Villupuram District.

+1 cc to Mr.S.Parthasarathy, Advocate, sr.12065

+ 1 cc to Mr.I.Paul Nobel Deva Kumar, Advocate Sr 12745 (3/3/16)

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