

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.8254 of 2016

M.Madhuri
rep. by her father Madhavan

... Petitioner

vs.

1.The Regional Manager,
Office of the Regional Manager,
Indian Overseas Bank,
Karups Towers,
Rajappa Nagar 1st Street,
Medical College Road,
Thanjavur 613 007.

2.The Branch Manager,
Indian Overseas Bank
Mannargudi Branch,
Thiruvarur District.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the second respondent herein to forthwith sanction the education loan to the petitioner's daughter Madhuri for her studies in B.Sc (Nursing) at Mannai Narayanasamy College of Nursing, Thanjavur on the basis of her representation dated 18.12.2015 within the time stipulated by this Court.

For Petitioner : Mr.Veera Karthiravan

For Respondents : Mr.Arvind Ghosh

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the second respondent to forthwith sanction the education loan to the petitioner viz., Madhuri for her studies in B.Sc (Nursing) at Mannai Narayanasamy College of Nursing, Thanjavur on the basis of her representation dated 18.12.2015 within the time stipulated by this Court.

2. According to the petitioner, her father belongs to poor agricultural family. After completing her Higher Secondary Course at St. Joseph Higher Secondary School, Mannargudi, she applied for B.Sc (Nursing) at Mannai Narayanasamy College of Nursing at Thanjavur and she got admission through counseling conducted by the Selection Committee of Directorate of Medical Education, Chennai. For pursuing her studies, she approached the respondent Bank for education loan and was given assurance that they would provide loan. Based on the said assurance, she joined in B.Sc (Nursing) in the said college and paid the initial tuition fee for the academic year 2015-16. Thereafter, she made a representation dated 18.12.2015 to the second respondent, requesting him to sanction education loan and the said representation is pending without any progress. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Learned counsel for the petitioner submitted that though the petitioner approached the respondent bank on several occasions, she was not furnished even application form for education loan.

4. On the other hand, the learned standing counsel appearing for the respondents submitted that no such application was received from the petitioner so far. He further submitted that if an application is submitted by the petitioner, the same would be considered, as per rules.

5. Considering the submissions made on either side, this Court permits the petitioner to approach the second respondent with a request to furnish the application form for education loan within a period of one week from the date of receipt of a copy of this order. On making such request, the second respondent is directed to issue necessary application form to the petitioner within a period of two weeks therefrom. Thereafter, the petitioner is directed to duly fill up the application form for education loan and submit the same to the second respondent within a period of two weeks thereafter. On receipt of the duly filled up application form from the petitioner, the second respondent is directed to consider the same by affording an opportunity of personal hearing to the petitioner and pass appropriate orders, with regard to grant of education loan to the petitioner, within a period of two weeks thereafter. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to pass appropriate orders purely on merits and in accordance with the relevant rules.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Regional Manager,
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Indian Overseas Bank,
Karups Towers, Rajappa Nagar 1st Street,
Medical College Road, Thanjavur 613 007.

2.The Branch Manager,
Indian Overseas Bank
Mannargudi Branch,
Thiruvarur District.

+1 cc to Veera Kathiravan Advocate sr.18305

+1 cc to M/s.Y.Jyothish Chander Advocate sr.18153

W.P.No.8254 of 2016

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