



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.07.2016

CORAM

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL**Writ Petition (MD). No.11642 of 2016**

R.Kamalambal

... Petitioner

Vs.

The Branch Manager,
State Bank of India,
Paravkottai Branch,
Paravakottai,
Thanjavur District.

... Respondent

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to sanction education loan of Rs.4,21,740/- to the petitioner's daughter namely SIVARANJANI for pursuing her B.E (Information Technology Course) in Annamalai University, Annamalai Nagar, Chidambaram by considering the petitioner's daughter's educational loan application dated2015 and the petitioner's representation dated 09.02.2016 within the time limit that may be stipulated by this Honourable Court.

For Petitioner
For Respondent

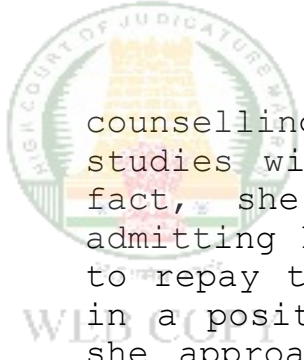
:Mr.M.S.Jeyakarthick
:Mr.Anand C.Rajesh

ORDER

Heard both sides.

2. According to the petitioner, her husband died leaving behind her and her two daughters. It is her case that the whole family is depending upon her income and she is working as an Anganwadi worker, in Child Development Programme Department. From her meagre income, her family is leading a life in a poverty line. She is the only earning member of her family and her parents were also died.

3. The stand of the petitioner is that her younger daughter namely Sivaranjani had completed her SSLC in March 2013 by securing 87.5% marks and further, she completed her Higher Secondary Course in March 2015 by securing 82% marks. Her daughter Sivaranjani got admission in Annamalai University to pursue the course of B.E (Information Technology) through



counselling in the year 2015 and now, she is undergoing her studies with much concentration and dedication. As a matter of fact, she secured loan from her relatives and friends for admitting her daughter in the college and as such, she owe a duty to repay the loan amount to her money lenders. Since she is not in a position to meet the educational expenses of her daughter, she approached the respondent/State Bank of India, Paravakottai, Thanjavur District and prayed for grant of educational loan of Rs.4,21,740/- in respect of her daughter Sivaranjani. However, the respondent/Bank, considering her request, had instructed her to open an account in the Bank and accordingly, her daughter opened an account in the respondent Bank. The Account Number of her daughter is 35248606907 (opened on 25.09.2015). Subsequently, she (the petitioner) was instructed to submit all relevant records for getting educational loan to her daughter. She and her daughter submitted the loan application before the respondent/Bank in the year 2015 by enclosing all relevant documents like Ration Card, Community Certificate, Mark Statements, Transfer Certificate, Bonafide Certificate, Expenditure Certificate, Attendance Certificate, Conduct Certificate, Residence Certificate etc.,

4. The grievance of the petitioner is that the respondent/Bank, after receiving her daughter's education loan application, had not sanctioned the education loan till today. Therefore, as petitioner, she addressed a representation (through registered post) to the respondent, on 09.02.2016 and prayed for sanctioning of the educational loan to her daughter Sivaranjani. But the respondent/Bank had not sanctioned the educational loan in question till date. Hence, she has filed the present writ petition.

5. On a careful consideration of the averments made by the petitioner (mother) in the present writ petition and also this Court, taking note of the fact that the petitioner's representation dated 09.02.2016 (sent by registered post) to the respondent/Bank is pending till date, without disposal, at this stage, simpliciter, directs the respondent/Bank to seriously and earnestly take up the application of the petitioner, dated 09.02.2016, within a period of one week from the date of receipt of copy of this order. Thereafter, the respondent/bank is to pass a reasoned, speaking order on merits in respect of the petition/representation of the petitioner dated 09.02.2016 (based on the Banking rules and regulations, periodical circulars, issued by the Reserve Bank of India governing the educational loan subject), within a period of two weeks thereafter. (Of-course, by providing sufficient opportunity of hearing to the petitioner, by adhering to the principles of Natural Justice). It is open to the respondent to call for any copies of documents/relevant records from the petitioner's daughter Sivaranjani and in such an event, the petitioner is incumbent to comply with the said



requirements of the Bank without any demur. The petitioner is directed to co-operate with the respondent/bank for disposal of the representation dated 09.02.2016.

6. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To
The Branch Manager,
State Bank of India,
Paravkottai Branch, Paravakottai, Thanjavur District.

+1 CC to Mr.M.S.JEYAKARTHIK, Advocate, SR No.37174
+1 CC to Mr.ANANTH, Advocate, SR No.36934

Writ Petition (MD).No.11642 of 2016
15.07.2016

VS
SH/GSV-PM/SAR-I:22.07.2016:3P/4C