



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition No.4991 of 2016

A.Udayasurian

...Petitioner

Vs.

1.The Chief Regional Manager,

Indian Overseas Bank,

131, East Car Street,

Tirunelveli Town, Tirunelveli-627 006.

2.The Branch Manager,

Indian Overseas Bank,

Sankarankovil, Tirunelveli District.

...Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent to consider the petitioner's education loan application dated 18.07.2014 and to sanction education loan for the petitioner's daughter within a stipulated time fixed by this Honourable Court.

For Petitioner :Mr.Akarathi

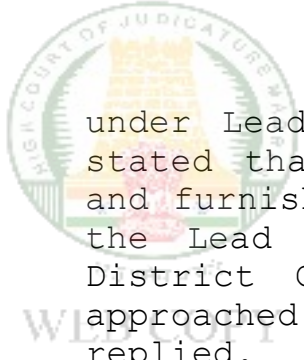
For Respondents :Mr.N.Dilip Kumar

O R D E R

Heard both sides.

2. According to the Petitioner, he belongs to a backward class community viz., Hindu Kaikonar Community and he is a wage based weaver. He has four female children and his third daughter viz., Vijayalakshmi has joined a 3 ½ years Diploma course in General Nursing and Midwifery in Sri Ramachandra Naidu Nursing Training School at Paruvakudi Village, Sankarankovil Taluk and presently studying in 3rd year.

3. The grievance of the Petitioner is that he approached the second respondent/Branch Manager, Indian Overseas Bank, Sankarankovil, Tirunelveli District for obtaining education loan for his third daughter viz., Vijayalakshmi. He applied for the education loan on behalf of his third daughter in the second respondent Bank on 18.07.2014 enclosing the relevant documents (including the Bonafide Certificate obtained from the Educational Institution). Till date, the second respondent had not given any reply. Hence, he submitted a petition to the District Collector, Tirunelveli District in this regard and his petition was received by the District Collector, who asked him to approach the branch of the second respondent through District Consultative Committee



under Lead Bank Scheme. In the said forwarding letter, it was stated that the second respondent shall scrutinize the petition and furnish his reply to the petitioner directly with a copy to the Lead Bank to enable them to furnish their reply to the District Collector. Despite the same, though the petitioner approached the second respondent/Bank many times, they have not replied. On 10.12.2015, the petitioner approached the Bank and they asked him to furnish certain documents and they also furnished relevant documents and submitted an application in respect of education loan and he awaited for more than two months and sent a reminder to the second respondent on 05.02.2016. Even then, there is silence on the part of the second respondent/Bank. Hence, the petitioner has filed the present writ petition.

4. In view of the fact that the petitioner has only sought for a limited relief in the present writ petition to consider his education loan application dated 18.07.2014, this Court, in the interest of Justice and Fair Play, directs the second respondent/Branch Manager, Indian Overseas Bank, Tirunelveli District to look into the education loan application of the petitioner dated 18.07.2014 and to dispose of the same within a period of three weeks from the date of receipt of a copy of this order, by passing a reasoned, speaking order on merits in dispassionate and objective fashion (of-course after providing necessary opportunity to the petitioner by adhering to the principles of Natural Justice). If any documents are required from the petitioner, the second respondent/Bank is entitled to obtain the same by addressing a communication to the petitioner and the same may be taken into account at the time of disposing of the education loan application of the petitioner dated 18.07.2014 in the manner known to law and in accordance with law.

5. With the aforesaid observation and direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS)

To

1.The Chief Regional Manager, Indian Overseas Bank,
131, East Car Street, Tirunelveli Town, Tirunelveli-627 006.

2.The Branch Manager, Indian Overseas Bank,
Sankarankovil, Tirunelveli District.

+1cc to M/s.N.Dilipkumar, Advocate in SR.27499

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