



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. [MD] .No.369 of 2017
against
W.P. (MD) No.24277 of 2016
and
C.M.P. (MD) .No.3380 of 2017

S.Sekar

: Appellant/Petitioner

Vs.

1. The Regional Manager,
Indian Overseas Bank,
131, East Car Street, Tirunelveli Town,
Tirunelveli 627 006.
2. The Branch Manager,
Indian Overseas Bank,
Pavoorchatram Branch,
Tenkasi Taluk, Tirunelveli District. : Respondents/ Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 23.01.2017 made in W.P. (MD) .No.24277 of 2016, on the file of this Court.

Prayer in WP(MD) . 24277/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the respondents to sanction and disburse the petitioners daughter namely S.Tamilarasi, educational loan amount of Rs.3,65,000/- based on the Bonafide Certificate dated 27.09.2016 issued by the Sara Nursing College, Palani Main Road, Manakadavu, Dharapuram, Tirupur District based on the petitioner representation dated 01.12.2016 within the period stipulated by this Honble Court.

**JUDGMENT**

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.G.Radhakrishnan, learned counsel appearing for the appellant.

2. This Writ Appeal is directed as against the order dated 23.01.2017 made in W.P.(MD).No.24277 of 2016.

3. The Writ Petition was filed by the appellant herein seeking a Writ of Mandamus, directing the respondents herein to sanction and disburse the loan amount of Rs.3,65,000/-, based on the bonafide certificate dated 27.09.2016, issued by the Sara Nursing College, Palani Main Road, Manakadavu, Dharapuram, Tirupur District, based on his representation dated 01.12.2016.

4. The Writ Court, after referring to the decision of the Hon'ble Division Bench of this Court in the case of **A.Kasinathan, Vs. The Branch Manager, Canara Bank**, reported in **2012 WLR 640**, held that the appellant's daughter had obtained only 49% marks in qualifying examination and as per the scheme, she does not possess the requisite marks for being eligible for grant of educational loan. The Writ Court also referred to yet another decision of the Hon'ble Division Bench in the case of **the Branch Manager, Indian Overseas Bank Vs. A.Ravi**, reported in **2014 (4) CTC 363**. Admittedly, the appellant has not challenged the instructions issued by the Reserve Bank of India, which have been adopted by the respondents bank. Therefore, the Writ Court was perfectly right in rejecting the prayer sought for by the appellant. Thus, we do not find any merit in the Writ Appeal.

5. In the result, the Writ Appeal is dismissed, confirming the order dated 23.01.2017 made in W.P.(MD).No.24277 of 2016 passed by the Writ Court. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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



2. The Branch Manager,
Indian Overseas Bank,
Pavoorchatram Branch,
Tenkasi Taluk, Tirunelveli District.

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+1cc to Mr.G.Radhakrishnan, Advocate Sr.No.52143

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JUDGMENT MADE IN

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against
W.P. (MD) No.24277 of 2016
and
C.M.P. (MD) .No.3380 of 2017**

12.04.2017