

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.23630 of 2017

J.Jansi Rani represented by her
Father & Natural Guardian R.Jayakumar
No.80/1, Saradhapuram,
11th Street, Mylapore,
Chennai-600 004.

.. Petitioner

vs.

1. The Branch Manager,
Indian Overseas Bank,
Mandaveli Branch,
Door No.90, Sringeri Mutt Road,
R.A Puram,
Chennai - 600 028.

2. The District Collector,
Chennai District,
Singaravelar Maaligai,
Rajaji Salai,
Chennai - 600 001.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the first respondent to consider and sanction the educational loan of Rs.1,55,300/- for each year from 2017-18 to 2021-22 as sought for by the petitioner in her application dated 01.08.2017 through his father and natural guardian Mr.R.Jayakumar, for the petitioner's entire studies of B.A.L.L.B.(Hons) within a prescribed time as fixed by this Court.

For Petitioner : Mr.K.Shahul Hameed

For Respondents : Mr.F.B.Benjamin George for R1

O R D E R

The present writ petition is filed seeking for a mandamus directing the first respondent Bank to consider and sanction educational loan of Rs.1,55,300/- for the petitioner to pursue her studies in Law Course.

2. After notice, the first respondent entered appearance and filed counter wherein it is stated that the petitioner did not submit any application in the prescribed format enclosing necessary documents seeking educational loan. Therefore, it is stated that the petitioner's allegation as though her request was rejected is not factually correct.

3. Learned counsel appearing for the first respondent Bank further submitted that only when an application is filed in the prescribed format, the Bank will consider such request and pass appropriate orders.

4. On the other hand, learned counsel appearing for the petitioner submitted that the petitioner has already made a request for grant of educational loan through her representation dated 01.08.2017 and the first respondent is not justified in contending that the petitioner has not made any application.

5. After hearing both sides, the fact remains that the petitioner though made a request by making representation on 01.08.2017, has however not made such request in the prescribed format by enclosing the necessary documents. Therefore, it is for the petitioner to make such application in the prescribed format to the first respondent Bank without loss of further time. Only when such application is made, the first respondent will be in a position to consider the request of the petitioner and pass appropriate orders accordingly.

6. Considering the above stated facts and circumstances, this writ petition is disposed of as follows:

(a) The petitioner is directed to submit an application in the prescribed format to the first respondent Bank by enclosing necessary documents within a period of two weeks from the date of receipt of a copy of this order.

(b) On receipt of such application, the first respondent Bank will consider such request and pass appropriate orders within a period of two weeks thereafter. Needless to say that the first respondent will consider the claim of the petitioner for grant of educational loan from the date of the original representation dated 01.08.2017. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

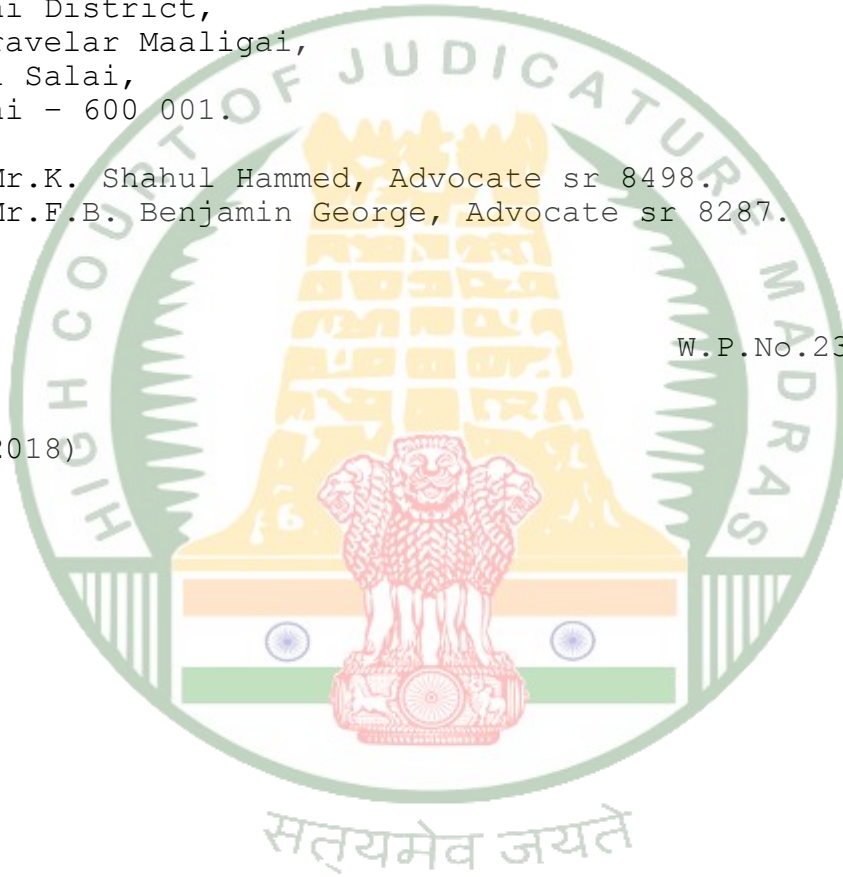
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To

1. The Branch Manager,
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+1 CC to Mr.K. Shahul Hammed, Advocate sr 8498.
+1 CC to Mr.F.B. Benjamin George, Advocate sr 8287.

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KS (CO)
SP(15/02/2018)



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