

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06-09-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.2419 of 2017

K.Subramanian

.. Petitioner

Vs.

1.Corporation Bank represented
by its Assistant Managing Director,
Zonal Office, First Floor,
Sivasakthi Complex,
Thillainagar,
Tiruchirappalli-620 018.

2.The Branch Manager,
Corporation Bank,
Melur Branch,
Kallakurichi Taluk,
Villupuram Taluk.

3.The Branch Manager,
Corporation Bank,
Kallakurichi Town Branch,
Kallakurichi,
Villupuram District.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to sanction and disburse educational loan of Rs.12,00,000/- for the study of MBBS Course of the petitioner's son Hariharan.

For Petitioner : Mr.N.K.Prasanna for
M/s.Sai, Bharath

For Respondents : Mr.S.Sethu Raman

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to sanction and disburse

educational loan of Rs.12,00,000/- for the study of M.B.B.S., Course of the petitioner's son Mr.Hariharan.

2. The grievance of the writ petitioner is that the son of the writ petitioner was admitted in the M.B.B.S., Course at Davao Medical School Foundation, Davao City, Philippines. In view of the fact that the writ petitioner was unable to meet out the entire educational expenses of his son, the writ petitioner submitted an application for the grant of educational loan with the respondent-Bank. The respondent-Bank has not considered the same with reference to the terms and conditions formulated for the purpose of sanctioning the educational loan.

3. The learned counsel, appearing on behalf of the respondents, also states that if the writ petitioner is otherwise eligible in accordance with the terms and conditions, the case of the writ petitioner will be considered by the respondent-Bank.

4. In view of the fair submissions made by the learned counsel, appearing on behalf of the respondents, this Court is inclined to consider the case of the writ petitioner.

5. Educational loan is an important scheme, which was constituted for the purpose of encouraging the students to pursue their higher education. The grant of educational loans must be liberal and that does not mean that the rules are to be violated. However, certain hyper technical grounds are to be averted, while considering the loan applications in this regard. In other words, by citing some flimsy reasons, such educational loans can never be denied. The Bank Authorities have to ascertain the viability and other aspects as per the terms and conditions.

6. This being the factum of the case, the third respondent is directed to consider the loan application submitted by the writ petitioner and also the representation dated 3.12.2016 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other relevant documents along with the order passed in this writ petition.

7. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Assistant Managing Director,
Corporation Bank,
Zonal Office, First Floor,
Sivasakthi Complex,
Thillainagar,
Tiruchirappalli-620 018.

2.The Branch Manager,
Corporation Bank,
Melur Branch,
Kallakurichi Taluk,
Villupuram Taluk.

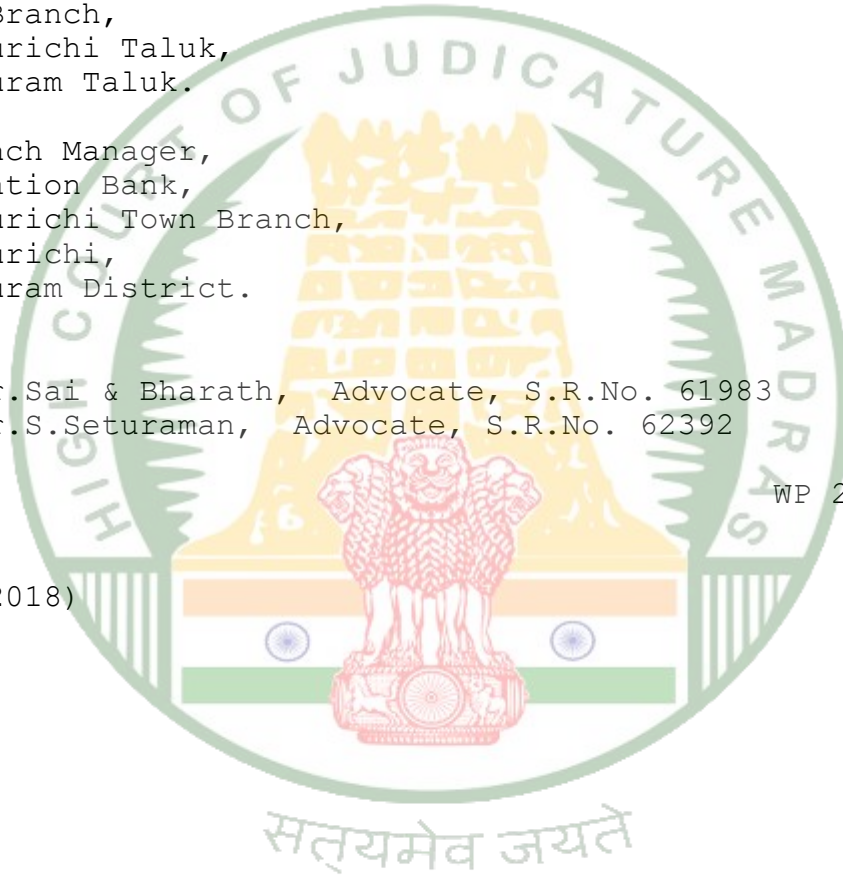
3.The Branch Manager,
Corporation Bank,
Kallakurichi Town Branch,
Kallakurichi,
Villupuram District.

+1cc to Mr.Sai & Bharath, Advocate, S.R.No. 61983

+1cc to Mr.S.Seturaman, Advocate, S.R.No. 62392

WP 2419 of 2017

RR(CO)
GN(01/10/2018)



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