

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27640 of 2017

M.Sowmiya

..Petitioner

vs

1.The Branch Manager,
Central Bank of India,
Krishnapuram,
Dharmapuri District.

2.The Principal,
Sri Vijay Vidyalaya College of Pharmacy,
Nallampalli Post,
Dharmapuri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent pertains to the impugned order dated 20.09.2017, rejecting the petitioner loan application and quash the same arbitrary, illegal and consequently direct the 1st respondent to sanction the educational loan to the petitioner for pursuing the B.Pharm.

For Petitioner : M/s.A.Sakthivel

For Respondents : Mr.T.M.Hariharan for R1
No appearance for R2

O R D E R

The grievances of the writ petitioner is that the claim for sanctioning of educational loan was rejected in proceedings dated 20.09.2017.

2.The order of rejection was passed mainly on the ground that the writ petitioner has got admission, but not through merit channel under the counselling of Government of Tamil Nadu. Such a reason stated by the 1st respondent / Bank is certainly untenable. The fact remains that the writ petitioner got admission to undergo the course of B.Pharm., in Sri Vijay Vidyalaya College of Pharmacy. In view of the fact that the writ

petitioner was admitted in the said College and undergoing the course, she is entitled for educational loan as per the terms and conditions of the scheme.

3.The learned counsel for the respondents state that the application of the writ petitioner was rejected on the ground that she has secured admission not through the merit channel. However, this Court is of an opinion that a student shall not be deprived of the educational loan merely on the ground that she got admission through the channel other than the merit channel under the counseling conducted by the Government of Tamil Nadu.

4.This being the factum of the case, the impugned order passed by the 1st respondent in proceedings dated 20.09.2017 is quashed. The respondents are directed to reconsider the loan applications submitted by the writ petitioner and pass appropriate orders for grant of educational loan in accordance with the terms and conditions of the scheme. Such an exercise shall be done by the respondents within a period of six weeks from the date of receipt of a copy of this order.

5.With these directions, the writ petition stands allowed. However, there shall be no order as to costs.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Branch Manager,
Central Bank of India,
Krishnapuram, Dharmapuri District.

2.The Principal,
Sri Vijay Vidyalaya College of Pharmacy,
Nallampalli Post, Dharmapuri District.

+1cc to Mr.T.M.Hariharan, Advocate SR.NO.70086
+1cc to Mr.A.Sakthivel, Advocate SR.NO.70625

NMI (CO)
sm:29.10.2018

W.P.No.27640 of 2017