



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.14927 of 2018

C.R.Chelsiya

... Petitioner

vs.

1. The Reserve Bank of India,
Rep by the Regional Director for Tamil Nadu,
Reserve Bank of India,
Regional Office, Fort Glacis,
Rajaji Salai, P.B.No.40,
Chennai-600 001.

2. The Regional Manager,
O/o.The Regional Manager,
Indian Bank, STC College Road,
Perumalpuram,
Tirunelveli District.

3. The Branch Manager,
Indian Bank,
KTC Nager, Maharajanagar Post,
Tirunelveli-627011.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the records pertaining to the impugned order dated 02.07.2018 on the file of the third respondent and quash the same as illegal and consequently directing respondents to provide Educational Loan to the tune of Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only) for the academic year 2018-2022 to the petitioner to continue her studies in MBBS Course at IRT-Perundurai Medical College, Erode District.

For Petitioner : Mr.I.Pinaygash

For R-2 & R-3 : Mr.Pala Ramasamy

O R D E R

Mr.Mr.Pala Ramasamy, learned Standing Counsel, takes notice for the respondents 2 and 3. Notice to the first respondent is



dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's Educational Loan Application came to be returned by the third respondent herein, by a letter dated 02.07.2018, on two grounds namely, loan application is to be submitted along with collateral security, since the ceiling of loan amount is more than Rs.7,50,000 (Rupees Seven Lakhs and Fifty Thousand only) and that the college is not NAAC Accredited.

4. The learned counsel for the petitioner submitted that insofar as the first condition is concerned, he is willing to furnish collateral security for the required loan amount and the second condition is not as per the Scheme.

5. The learned Standing Counsel for the second respondent opposed the petitioner's submissions and stated that earlier the petitioner had already withdrawn the loan application and received all the certificates.

6. Further more, according to the learned counsel for the petitioner under the Scheme, the second respondent is entitled to seek for such conditions.

7. I have given careful consideration on the submissions made by the learned respective counsels.

8. Insofar as the first condition, seeking for collateral security is concerned, since the petitioner has offered to provide the require collateral security, the respondent Bank may not be prejudiced in considering the application on that ground. Insofar as the other condition, that the college in which the petitioner seeks to join, is not NAAC Accredited, the IBA guidelines, through which the Educational Scheme is framed by the respondent herein, does not refer to such a condition that the College in which the loan applicant intends to join should be NAAC accredited college. In the absence of the same, the third respondent may not be justified in incorporating such condition, thereby defeating the very object of the IBA guidelines.

9. In the light of the above observation, the letter dated 02.07.2018 issued by the third respondent herein is set aside. Consequently, the petitioner herein is granted liberty to approach the third respondent Bank, with a fresh application, enclosing the necessary collateral security and on receipt of the same, the third respondent shall process the same as expeditiously as possible and sanction the educational loan amount to the



petitioner, if it is otherwise in order. Such an exercise shall be completed within a period of two weeks, from the date of receipt of a copy of this order.

10. In the light of the above, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

+ 1 CC TO Mr.I.PINAYGASH, ADVOCATE IN SR No. 75455
+ 1 CC TO Mr.PALA RAMASAMY, ADVOCATE IN SR No. 75402

RMK

TE/RP/SAR-4 : 07/08/2018 : 3P/3C

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