

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.790 of 2019
and
W.M.P.No.863 of 2019

N.Subha

... Petitioner

Vs.

1.The Managing Director,
Indian Bank,
Corporate Office,
Rural Banking Department,
1st Floor 'B' Wing,
254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai - 600 014.

2.The Branch Manager,
Indian Bank,
Mothakkal,
Tiruvannamalai (D.T) - 606 708.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to grant Education Loan to the petitioner herein for the payment of College fees for the academic years 2018-2019, 2019-2020, 2020-2021, 2021-2022.

For Petitioner : Mr.J.Pradeep

For Respondents : No appearance for R1
Ms.S.R.Sumathy for R2

ORDER

The petitioner seeks for a Mandamus, to direct the 2nd respondent to grant Education Loan to her for the payment of College fees for the academic years 2018-2019, 2019-2020, 2020-2021, 2021-2022.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the 2nd respondent Bank.

3. The case of the petitioner is as follows:

The petitioner has secured 475 marks out of 500 in 10th standard and 1123 marks out of 1200 in 12th standard. After that, based upon the marks scored in 12th standard, she was allotted BDS seat in RVS College and Hospital, Coimbatore on pure merit basis, which is affiliated to Tamil Nadu Dr.M.G.R. University, Chennai. She joined the said degree of five years course in the said college in August, 2017. The total fees is Rs.3,66,500/- per academic year, which includes Tuition Fees, Hostel Fees etc. The petitioner's father is no more and her mother is working as a farmer, earning Rs.3,500/- p.m. Since she hails from a poor family, she is unable to pay such huge amount. Hence, she applied for Educational Loan towards payment of College fees during the academic year 2017-18 and made several representations, finally dated 06.12.2018, for disbursing the said loan amount, but, till date, the 2nd respondent bank has not disbursed the loan amount. Currently, she is pursuing the said 2nd year Degree course with the permission of the College Principal and the total fee for the said year is Rs.3,66,500/- including Tuition Fees, Hostel Fees etc. The grievance of the petitioner is that her education loan application has not been considered by the 2nd respondent Bank so far. Hence, the present writ petition is filed.

4. On the other hand, the learned counsel appearing for the 2nd respondent Bank submitted that since the loan amount exceeds Rs.7,00,000/- and therefore, the petitioner has to furnish the security so as to enable the Bank to consider the grant of loan.

5. The learned counsel for the petitioner submits that there is no difficulty for the petitioner to furnish the security so as to safeguard the interest of the bank for disbursing the education loan.

6. Considering the above stated facts and circumstances, this Writ Petition is disposed of by directing the petitioner to approach the 2nd respondent Bank and furnish sufficient security for the disbursal of the education loan amount. On furnishing such security, the 2nd respondent Bank shall consider the application of the petitioner for grant of education loan and disburse the same accordingly without loss of further time. The entire exercise shall be done by the parties within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gsi/vri

To

1.The Managing Director,
Indian Bank,
Corporate Office,
Rural Banking Department,
1st Floor 'B' Wing, 254-260,
Avvai Shanmugam Salai, Royapettah,
Chennai - 600 014.

2.The Branch Manager,
Indian Bank,
Mothakkal,
Tiruvannamalai (D.T) - 606 708.

+1 cc to Mr.J.Pradeep, Advocate Sr.No.16590
+1 cc to Mrs.S.R.Sumathy, Advocate Sr.No.16745

W.P.No.790 of 2019

KS(CO)
CSL/19.03.2019



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