



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.08.2014
CORAM
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
W.P.(MD)No.17407 of 2013

S.Subramani

.. Petitioner

Vs.

1.The Zonal Manager,
Indian Bank,
Indian Zonal Office,
East Avani Moola Street,
Madurai - 625 001.

2.The Branch Manager,
Indian Bank,
Karungalakudi Branch,
Melur Taluk,
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to sanction the educational loan of Rs.8,73,000/- for petitioner's son Allaguvel for his B.Sc., Nautical Science at A.M.E.T. University at Kanathur in Chennai for the academic year 2013-14, 2014-15 and 2015-16.

For Petitioner ... Mr.S.Mahalingam
For Respondents ... Mr.S.Vijaya Shanthi

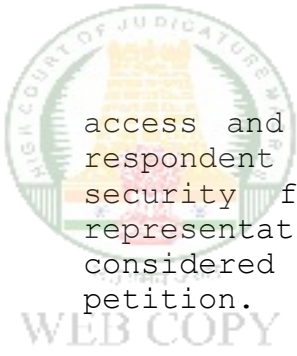
ORDER

The petitioner seeks for issuance of a writ of Mandamus directing the second respondent to sanction educational loan of Rs.8,73,000/- for the petitioner's son Mr.Agaluvel for pursuing his B.Sc., Nautical Science at A.M.E.T. University at Kanathur in Chennai for the academic year 2013-14, 2014-15 and 2015-16.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3.The petitioner approached the second respondent bank for grant of educational loan for his son and since the loan sought for by the petitioner is more than Rs.5,00,000/-, they were required to give security. In this regard, the petitioner's father offered three acres of his agricultural land as security for the loan. However, the respondents would insist upon the house plot security and they were not inclined to accept the agricultural land as immovable property security.

4. The stand taken by the respondent bank is not supported by any statutory backing. It is not known under what circumstances the respondent bank declined to accept the agricultural land for the security of the loan to be sanctioned. If the petitioner has valid title to the said property and the property is free from encumbrance and has proper



access and such other matters, then there is no justification for the respondent bank for refusing to accept the said immovable property as a security for the loan. In this regard, the petitioner has sent representations to the respondent bank and since the same have not been considered so far, he has approached this Court by way of this writ petition.

5. In the light of the above facts, there will be a direction to the respondent bank to consider the immovable property security offered by the petitioner and obtain valuation report for the property for which purpose, the respondent bank is entitled to inspect the property. On being satisfied with regard to the title as well as the valuation of the property, the respondent bank shall consider and process the petitioner's application for grant of educational loan for his son within a period of three weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Per Admn)

/True copy/

Sub Assistant Registrar

To

1. The Zonal Manager,
Indian Bank,
Indian Zonal Office,
East Avani Moola Street,
Madurai - 625 001.

2. The Branch Manager,
Indian Bank,
Karungalakudi Branch,
Melur Taluk, Madurai District.

+1cc to M/S.S.VIJAYASHANTHI, ADVOCATE IN SR : 43349

Rj2

SR : 14.08.2014 : 2p/4c

W.P. (MD) No.17407 of 2013
01.08.2014