



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.07.2019
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A. (MD) No.1563 of 2018
&
C.M.P. (MD) No.11124 of 2018

The Branch Manager,
Andhra Bank,
Karupatti Branch,
Vadipatti Taluk,
Madurai District.

.. Appellant/2nd Respondent

Vs.

1.K.Alagarsamy

..1st Respondent/Writ Petition

2.The District Collector,
Madurai District,
Madurai.

.. 2nd Respondents/1st Respondent

Prayer:- Writ Appeal is filed under Clause 15 of Letters Patent, to set aside the order dated 27.08.2018, passed in W.P.(MD)No.16836 of 2018.

Prayer in WP(MD) . 16836/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 2nd Respondent to sanction the Educational Loan of Rs.4,60,000/- for the Petitioner's daughter A.Pavithra for her B.Sc., Agriculture Course(4 years) at S.Thangapazham Agriculture College, Vasudevanallur, Tirunelveli District.

For Appellant	: Mr.Pala.Ramasamy
For R1	: Mr.V.Santha Kumaresan
For R2	: Mr.N.Shanmugaselvam
	Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by **K.RAVICHANDRABAABU, J.**)

This Writ Appeal is filed by the appellant Bank/second respondent, challenging the order dated 27.08.2018, made in W.P.(MD) No.16836 of 2018, wherein and whereby, the appellant/second respondent was directed to sanction educational loan as admissible to the petitioner's daughter.



2.Heard both sides.

3.The first respondent/writ petitioner sought for educational loan of Rs.4,60,000/- for his daughter's B.Sc. Agriculture Course at S.Thangapazham Agricultural College, Vasudevanallur, Tirunelveli District. Since the said request was not considered by the appellant Bank/second respondent, the first respondent/writ petitioner approached this Court and filed the Writ Petition. The Writ Court, after considering the facts and circumstances of the case and after hearing both the parties, allowed the Writ Petition on 27.08.2018 and directed the appellant Bank/second respondent to grant the educational loan, as admissible to the petitioner's daughter.

4.Though this Writ Appeal is filed challenging the order of the Writ Court, dated 27.08.2018, today, the learned counsel for the appellant Bank submitted that the Bank has agreed to give educational loan to the first respondent's daughter to pursue her education for the forthcoming third and fourth year subject to the condition that the borrower has to provide an additional co-obligant other than the first respondent/writ petitioner, who is having acceptable CIBIL Score and to clear the outstanding amount of the first respondent/writ petitioner, in Loan Account No.029530020003651.

5.It is stated that the first respondent's daughter has already completed the first and second year courses and paid the fees to the said period also. Since the appellant Bank has come forward to pay the educational loan for the remaining two years, we find that nothing survives in this Writ Appeal to be adjudicated upon further.

6.Recording the undertaking given by the appellant Bank, this Court directs the appellant Bank to disburse the educational loan amount for the third and fourth year to the petitioner's daughter, within a period of two weeks from the date of receipt of a copy of this judgment. It is also made clear that the first respondent/Writ Petitioner has to comply with the conditions stipulated by the appellant Bank for disbursing the educational loan, as referred to above.

7.This Writ Appeal is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //



To

The District Collector, Madurai District,
Madurai.

+2ccs to Mr.PALA RAMASAMY, Advocate, SR.No.76451 & 76486

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JUDGMENT IN

W.A. (MD) No.1563 of 2018

&

C.M.P. (MD) No.11124 of 2018

18.07.2019

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