

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9946 of 2018

and

W.M.P.Nos.11883 to 11885 of 2018

G.Anbalagan
S/o.Gothandapani
Pallatheru, Porur Post
Vikaravandi Taluk
Villupuram District - 605 202. ...Petitioner

Vs.

- 1.The District Collector
Villupuram District
Villupuram.
- 2.The Chief Manager
Indian Bank (Lead Bank for Villupuram District)
Lead Bank Office
No.793, Nehruji Road
Villupuram - 605 202.
- 3.The Zonal Office
Corporation Bank
No.174, 10th Cross
Thillai Nagar, Tiruchirapalli.
- 4.The Branch Manager
Corporation Bank
Anniyur Branch
Villupuram District. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned mail communication of the 3rd respondent dated 03.03.2018, issued to the 4th respondent and quash the same, and further, direct the 4th respondent to sanction the Education Loan for the petitioner's son A.Jegathish, for perusing his B.E. CSE Course, as per the directions of the respondents 1 & 2 and pass necessary orders.

For Petitioner : Mr.B.Balavijayan
For Respondent : Mr.M.D.Ilayaraja
Government Advocate, for R1
Mr.Rajendran Raghavan, for R2
Mr.S.Sethuraman, for R3 & R4

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed challenging the communication of the third respondent, wherein and whereby, the request of the petitioner for grant of Educational Loan for his son's B.E. (CSE) course was rejected on the reason that the employment opportunities are bleak for such course.

3. Heard both sides and perused the materials placed before this Court.

4. The petitioner's son after completing +2 course, wanted to join B.E. (CSE) course, which has four years duration. The course fee is Rs.3,08,200/-, for which, he sought for educational loan from the fourth respondent/Bank under Corp Vidya Loan Scheme by making application on 16.09.2017. The said application was rejected by stating the above reason. First of all, the reason stated in the impugned communication cannot be sustained for the simple reason that the respondents 3 & 4/Bank is not justified in anticipating as if the employment opportunities are bleak for such course. Even otherwise, it is to be noted that it is only the educational loan sought for and the borrower has to repay the same with interest after some time. Therefore, it is for the Bank to see whether relevant documents are filed along with the application in support of the claim for educational loan. Without doing so, the Bank simply rejected the application by stating the above reason, which in my considered view, is not justifiable.

5. Now, the learned counsel for the respondents 3 & 4/Bank submitted that out of four years, the bank has sanctioned loan for 3rd and 4th years and however, the petitioner did not come and collect the same. Therefore, he submitted that the petitioner can be directed to come and collect the said amount. Insofar as the 1st and 2nd year are concerned, the learned counsel for the respondents 3 & 4/Bank submitted that the petitioner has already undergone the said course by paying the fee and therefore, the bank need not release the loan amount. I am not able to accept the above submission made by the learned

counsel for the respondents 3 & 4, since the very application was made for all the 4 years and not for the 3rd and 4th years alone. It is only the bank which rejected the application by saying erroneous reason as stated supra. Therefore, once the loan is sanctioned, it should be sanctioned for all the 4 years.

6. Accordingly, this Writ Petition is disposed of, by directing the respondents 3 & 4/Bank to grant educational loan to the petitioner as sought for in his application and disburse the loan amount within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Collector
Villupuram District
Villupuram.

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Corporation Bank, Anniyur Branch
Villupuram District.

+1cc to M/s.B.Balavijayan, Advocate, sr no.33012

W.P.No.9946 of 2018

VSNIIC(O)
RMP (16/10/2020)