



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P. (MD)No.12740 of 2018

T.Natraja

... Petitioner

-vs-

1.The Assistant General Manager,
State Bank of India,
Zonal Office, Cantonment,
State Bank Road,
Trichy - 620 001.

2.The Branch Manager,
State Bank of India,
Tiruvanaikoil Branch,
Trichy - 620 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to grant Educational Loan Amount of Rs.4 Lakhs (Rupees Four Lakhs only) to petitioner's daughter namely Haripriya studying 3rd year M.B.B.S., course in the academic year 2018-2019 at QINGDAO UNIVERSITY, 308, Ningxia Rd., Qingdao, Shandong, China, PC:266 071 by processing her Educational Loan Proposal No.1078550 by considering the representation dated 09.04.2018.

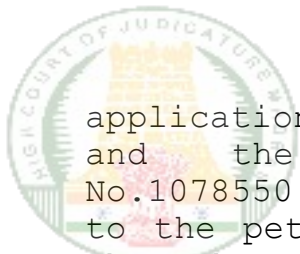
For Petitioner : Mr.D.Selvanayagam
For Respondent 2 : Mr.C.Karthick

ORDER

This writ petition is filed, seeking issuance of a Writ of Mandamus directing the respondents to grant Educational Loan Amount of Rs.4 Lakhs (Rupees Four Lakhs only) to petitioner's daughter namely Haripriya studying 3rd year M.B.B.S., course in the academic year 2018-2019 at QINGDAO UNIVERSITY, 308, Ningxia Rd., Qingdao, Shandong, China, PC:266 071 by processing her Educational Loan Proposal No.1078550 by considering the representation dated 09.04.2018.

2.Heard the learned Counsel appearing for the petitioner and Mr.C.Karthick, learned Counsel appearing for the second respondent.

3.It is the case of the petitioner that his daughter by name Haripriya is studying second year M.B.B.S., Course in the academic year 2017-2018 at QINGDAO UNIVERSITY, 308, Ningxia Rd., Qingdao, Shandong, China, PC:266 071. The said university is approved by the Medical Council of India as 'B' Grade status university. Since the petitioner was in need of a sum of Rs.4,00,000/- (Rupees Four Lakhs only) to pay his daughter's third year tuition fee, he made an



application seeking educational loan before the second respondent and the second respondent also given a proposal No.1078550. Thereafter, the respondents 1 and 2 had issued letters to the petitioner on 09.02.2018, 05.04.2018 and 17.08.2013 stating that the total cost for pursuing degree in foreign university comes to Rs.23 Lakhs and the petitioner had applied loan only for Rs.4,00,000/-, therefore, the petitioner has to provide the source of payment of remaining fees. In response to the said letters, the petitioner had submitted his reply on 09.04.2018. However, the respondents have not considered the same and passed any orders. It is further submitted that as per the Reserve Bank of India's guidelines, the nationalised banks have to sanction the educational loan upto Rs.4,00,000/- without any security from the applicant. This Court also held that the parents' CIBIL score is not a bar for granting educational loan to the child. Since the second respondent has not passed any orders so far, the petitioner has come forward with the present Writ Petition.

4.The learned Counsel appearing for the second respondent bank would submit that the documents presented by the petitioner is in Chinese language and unless the petitioner produces the translated version of the relevant documents, the bank will not be in a position to consider the request of the petitioner. It is further submitted that the petitioner sought for educational loan to his daughter's third year course ie., for the academic year 2018-2019 which is already over. It is also represented that even though the academic year 2018-2019 is already over for which educational loan was sought for, if the petitioner makes a fresh application along with relevant documents translated in English, the same will be considered in accordance with the rules of the Bank for the academic year 2020-2021.

5.In view of the above submission, the petitioner is directed to make a fresh application for educational loan to his daughter for the academic year 2020-2021 along with the translated version of the documents if it is in Chinese language forthwith. On receipt of the said application, the second respondent shall consider the same and pass appropriate orders within a period of three weeks thereafter.

6.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSIII)

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Sub Assistant Registrar(CS)



To

The Branch Manager,
State Bank of India,
Tiruvanaikoil Branch,
Trichy - 620 005.

W.P (MD) No.12740 of 2018
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MJ(CO)
KB(15.02.2021) 3P 2C