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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Writ Petition No.18879 of 2020

P.Mahalakshmi

... Petitioner

Vs

1.The Indian Bank

Represented by Zonal Officer
Zonal Office
3rd floor, AVR Tower
No.4, Bharathy road
Cuddalore-607 001.

2.The Indian Bank

Represented by is Branch Manager
Alathur Branch
No.55, main road
Alathur Post, Sankarapuram Taluk
Kallakurichi District
Pin:606 208.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to process and sanction the educational loan application of the petitioner bearing No.714441 dated 24.12.2019 and disburse to the petitioner a sum of Rs.3,49,600/- towards the aggregate fees for the 1st, 2nd, 3rd and 4th year and consequently, disburse a sum of Rs.87,400/- each for the 1st and 2nd year which has already fallen due from the academic year 2019 - 2020 of B.Sc. Nursing Dhanvantri College of Nursing, Namakkal District.

For Petitioner :Mr.J.Ravikumar

For R1 :No appearance

For R2 :Mr.R.Rajendran Raghavan



ORDER

This writ petition has been filed to issue a mandamus, directing the 2nd respondent to process and sanction the educational loan application of the petitioner bearing No.714441 dated 24.12.2019 and disburse a sum of Rs.3,49,600/- to the petitioner, towards the aggregate fees for the 1st, 2nd, 3rd and 4th year and consequently, disburse a sum of Rs.87,400/- each for the 1st and 2nd year, which has already fallen due from the academic year 2019 - 2020 of B.Sc. Nursing Dhanvantri College of Nursing, Namakkal District.

2.Heard the learned counsel for the petitioner as well as the learned counsel for the 2nd respondent and perused the materials placed before this Court.

3.According to the petitioner, she is hailing from a poor agricultural labourer's family and her father is unable to meet out the college fees for her studies. Hence, she has sent an application for higher education loan under the scheme of the Indian revised IBA educational loan to the 2nd respondent. The 2nd respondent neither rejected her application nor processed it for sanction. Therefore, the petitioner has come forward with this writ petition claiming the above relief.

4.Learned counsel for the petitioner submitted that in similar circumstances, by order dated 23.03.2018, this Court disposed of W.P.No.32309 of 2017, the operative portion of which is profitably, extracted hereunder:-

"2.The grievance of the petitioner is that the said application is not considered by the second respondent Bank so far. Therefore, it is stated before this Court that the petitioner is facing difficulty in writing the examination at the College in which he got admitted to the course viz., B.E., Mechanical. Needless to say that when an application is filed seeking for educational loan, the concerned Bank shall not keep the application pending without processing the same, as the timely disbursement of educational loan is the need of the hour in so far as the student is concerned. Unless such exercise is done without any delay, it may even result in loss of the academic carrier of the concerned student.



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Therefore, the respondent Bank is directed to consider the application of the petitioner and process the same within a period of three weeks from the date of receipt of a copy of this order. The petitioner is also directed to cooperate with the respondent Bank by furnishing all necessary documents as required by the Bank for disbursement of such educational loan. The writ petition is disposed of accordingly. No costs."

Hence, the learned counsel prayed for similar order in this writ petition also.

5. In the light of the aforesaid decision, which is squarely applicable to the facts of the present case, this Court directs the respondents to consider the application of the petitioner and process the same within a period of three weeks from the date of receipt of a copy of this order. The petitioner is also directed to cooperate with the respondents Bank by furnishing all necessary documents as required by the Bank for disbursement of such educational loan.

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

Sd/-
Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

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To

1. The Zonal Officer,
The Indian Bank,
Zonal Office,
3rd floor, AVR Tower
No.4, Bharathy road
Cuddalore-607 001.



2.The Branch Manager,
The Indian Bank,
Alathur Branch,
No.55, main road
Alathur Post, Sankarapuram Taluk,
Kallakurichi District
Pin:606 208.

W.P.No.18879 of 2020

GPL (CO)
SU (26/08/2021)