



W.P.(MD)No.12245 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12245 of 2022

R.Lena

... Petitioner

Vs.

1.The Regional Manager,
Indian Overseas Bank,
Plot No.40, 80 Feet Road,
Arignar Anna Nagar,
Madurai.

2.The Branch Manager,
Indian Overseas Bank,
Vellalore Post,
Melur Taluk,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in her communication dated 05.04.2022 and quash the same as illegal and consequently, direct the respondents to grant educational loan for a sum of Rs.3,80,000/- to the petitioner for pursuing BPT (Bachelor of Physiotherapy) professional course for the period of 2021-2025 in



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Santhosh College of Physiotherapy, Madurai within a period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi
For Respondents : Mr.N.Dilip Kumar

ORDER

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent Bank.

2. The petitioner is pursuing BPT course in Santhosh College of Physiotherapy, Madurai. The petitioner sought educational loan from the second respondent Bank. The petitioner's request was not favorably considered. Hence, the writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Standing Counsel pointed out that the petitioner did not take part in the counselling process and she had taken admission only under the management quota. Therefore, the petitioner's case will fall under IOB Scholar Scheme and not IOB Vidya Suraksha Scheme.



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4. I find considerable force in the objection raised by the learned standing counsel. I therefore do not interfere with the communication impugned in the writ petition. At this stage, the petitioner's counsel states that the petitioner belongs to BC category and that even though she was a meritorious candidate, considering her domestic circumstances, she wanted to join the college available in Madurai District itself. If she had taken part in the counselling process, she would have been allotted seat elsewhere. Since she hails from a family which does not have graduates and since her father is only a coolie worker, in view of her domestic situation, she is not in a position to take up her studies elsewhere. I find that the petitioner is a meritorious candidate. The course which she has chosen also has good employment potential. The petitioner through her counsel makes a statement before this Court that even if she is considered under the IOB Vidya Suraksha Scheme, she will give up her claim for interest subsidy. The said statement made by her through the counsel is recorded.



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G.R.SWAMINATHAN,J.

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5. Considering the special facts and circumstances of the case, the respondent is directed to consider the case of the petitioner. If the respondent sanctions loan for the petitioner, the petitioner shall settle the same in terms of the loan conditions.

6. The Writ Petition is disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
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