BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18995 of 2021

M.Ashmi ... Petitioner

Vs.

The Branch Manager,
State of Bank of India,
Kalkulam Branch,
Kanyakumari District. ... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent dated 14.07.202 1 and to quash the same and consequently direct the respondent to sanction the educational loan for a sum of Rs.4,00,000/- (Rupees Four Lakhs) to the petitioner.

For Petitioner : Mr.M.R.Sreenivasan

For Respondent : Mr.P.Pethurajesh,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.The petitioner wants to pursue medical course. She applied to the respondent for educational loan to tune of Rs.4 Lakhs. The respondent declined to comply with the said request. Questioning the same, this writ petition came to be filed.

3.The learned counsel for the writ petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to quash the impugned communication and direct the respondent to grant educational loan to the tune of Rs.4 Lakhs.

4.The learned standing counsel for the respondent submitted that the bank has to necessarily adhere to the guidelines issued in this regard. The petitioner's parents will have to be co-borrowers and their CIBIL score should be not less than 6.85. In this case, the CIBIL score of the petitioner's father is 6.50. When the borrower does not fulfil the norms, it would be improper for the Court to issue direction to the financial institutions to grant an unsecured loan. The learned standing counsel would state that the petitioner's father had earlier availed loan and cleared the same later after the default was pointed out. It is stated that the petitioner's father is having collateral securities. The bank is ready to extend loan on furnishing of security.

5.Recording the said submission made by the respondent, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

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+1 CC to M/s.M.R. SREENIVASAN, Advocate (SR-26667[F] dated 20/06/2022)

+1 CC to M/s.P. PETHU RAJESH, Advocate (SR-26988[F] dated 21/06/2022)

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RD(24.06.2022) 2P 3C