

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21425 of 2022

S.Dharma

..Petitioner

Vs

The Branch Manager,
State Bank of India,
Modagam Branch
M.Subbulapuram,
Peraiyur Taluk,
Madurai District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent bank to sanction and disburse the education loan to the petitioner on the basis of the petitioner's application, dated 23.06.2022 as per the fees structure issued by the institution within time frame fixed by this Court.

For Petitioner :Mr.J.Karmega Kannan

For Respondent :Mr.G.Radhakrishnan

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus, directing the respondent bank to sanction and disburse the education loan to the

petitioner based on his application, dated 23.06.2022 as per the fees structure issued by the institution within the time frame fixed by this Court.

2.Heard Mr.J.Karmega Kannan, learned counsel appearing for the petitioner and Mr.G.Radhakrishnan, learned Standing Counsel, who takes notice for the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner would submit that the petitioner has passed Higher Secondary Examination in the year of 2020 and the petitioner got admission in B.E (Electronics and Communications Engineering) Course at Hindustan College of Engineering and Technology, Coimbatore through counseling conducted by the Anna University, Chennai. The petitioner's father is the sole bread winner of his family and he is working as cook at hotel. The petitioner is the first graduate in his family. He further states that his father is the Diabetic patient and he is not in a position to pay the tuition fee for second year and for remaining years of his course. Even though the petitioner got admission on merits through counseling he has to pay the fees. But the petitioner's family was not financially sound enough to meet expenses for the same. Hence, he approached the respondent bank and

submitted application to avail educational loan on 23.07.2022. On the same date, he has received digital approval application from the respondent Bank. Even after lapse of three months, till date loan was not sanctioned to the petitioner. Thereafter, he approached the respondent Bank as several times and the Bank Officials orally replied that the petitioner's father have no sufficient income to repay the educational loan amount. Further, he assured to the bank stating that after completion of course, he will repay the entire loan amount with due interest as early as possible. The non-payment of fees in the 5th semester, he was not in a position to go college. Hence, he approached the respondent Bank on 29.08.2022 and explained his present situation, but the respondent bank did not show any interest to grant educational loan to the petitioner and hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4. Mr.G.Radhakrishan, learned Standing counsel appearing for the respondent bank would submit that the petitioner's application is under process and appropriate direction may be given to the respondent to consider the petitioner's application, dated 22.08.2022, in accordance with law, within a time frame.

5. Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the case, directs the respondent to consider the application of the petitioner, dated 22.08.2022 positively and disburse the loan on or before 15.10.2022.

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

21.09.2022

Index : Yes/No

Internet: Yes/No

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Note: Issue order copy on 21.09.2022

To

The Branch Manager,
State Bank of India,
Modagam Branch
M.Subbulapuram,
Peraiyur Taluk,
Madurai District.

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V.BHAVANI SUBBAROYAN,J

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