



WP(MD)No.21930 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.21930 of 2022

I.Giri

... Petitioner

Vs.

1.The Branch Manager,
Canara Bank,
Ladanenthall,
Thiruppuvanam Taluk,
Sivagangai District.

2. The General Manager,
Canara Bank,
Circle Office,
East Veli Street,
Madurai – 625 001.

3. The Regional Manager (Canara Bank),
42/1A, Bishop Sundaram Complex,
Pudukkottai Road,
V.O.C. Nagar Post,
Thanjavur – 613 007

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the respondents to sanction educational loan to the petitioner's son G.Agathiyan to continue



WP(MD)No.21930 of 2022

B.E., four years Course based on the petitioner's representation dated 30.05.2022 .

For Petitioner : Mr.R.Kathiravan

For R1 – R3 : Mr.Pethurajesh

ORDER

The relief sought for by the petitioner in the nature of writ of mandamus cannot be granted since the Senior Branch Manager, Canara Bank, Advances Section, Regional Office, Tanjavur, had very specifically issued a communication to the petitioner on 08.09.2022 that the educational loan proposal is rejected.

2. Reasons have also been given in the said communication, which are as follows:

The subject Education Loan proposal is rejected in view of the following:

i) Written off status in five accounts (of which Three Gl's, one VL and one others

ii) NPA status-one agriculture loan o/s liability RS.71, 628/-

iii) Overdue status-one others for Rs.4,600/-.



WP(MD)No.21930 of 2022

3. This communication has not been disclosed by the petitioner in this Writ Petition though this Writ Petition was filed on 13.09.2022 and this communication is dated 08.09.2022. The court cannot thrust on the bank a customer when it is stated that the customer had availed other loans and not repaid the same.

4. The learned counsel for the petitioner states that the loan sought is only for Rs.4 lakhs. As per this communication, specifically education loan of Rs.4 lakhs has been rejected. Since the said document has not been disclosed by the petitioner, the court cannot come to the rescue of the petitioner herein.

5. In the result, this Writ Petition is dismissed. No costs.

20.06.2023

Index : Yes/No
Internet : Yes/No
CM



WP(MD)No.21930 of 2022

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C.V.KARTHIKEYAN, J.

CM

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