



WEB COPY



W.P.No.1772 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.1772 of 2024

K.Rishibaa

... Petitioner

Vs.

The Branch Manager,
Canara Bank,
Thiruthuraipoondi,
Tiruvarur District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Mandamus directing the respondent herein to sanction educational loan as per the application submitted by the petitioner through online on 12.06.2023 and as per the fee structure provided by the College so as to enable me to continue the four year B.Sc., Nursing Course.

For Petitioner : Mr.S.Nagarajan

For Respondent : Mr.P.Kannan Kumar

ORDER

The petitioner has filed this petition seeking to direct the respondent herein to sanction educational loan as per the application submitted by the petitioner through online on 12.06.2023 and as per the fee structure provided



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by the College so as to enable him to continue the four year B.Sc., Nursing Course.

2. It is the case of the petitioner that she is Scheduled Caste candidate and she is pursuing B.Sc.Nursing at M.A.M.College, Trichy. Seeking educational loan to pursue the course as her family was not able to mobilise funds, the petitioner made an application through online on 12.06.2023, but despite eligibility and personal follow ups, the respondent Bank refused to sanction the loan. Hence, the present writ petition has been filed seeking the aforesaid relief.

3. Though very many grounds have been raised in the present writ petition, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondent to consider the petitioner's application dated 12.06.2023 seeking educational loan and pass appropriate orders within the time frame that may be stipulated by this Court.

4. The learned Standing counsel appearing for the respondent submits that prior to the said application, the petitioner's father obtained two loans



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one of which from Micro Small and Medium Enterprises (in short 'MSME') and another is a personal loan from the Indian Overseas Bank. Since the petitioner's father failed to make payments, the said loan accounts were classified as a Non-Performing Asset (in short 'NPA') which also reflected in the CIBIL score. Suppressing all the aforesaid facts the petitioner mentioned her mother as co-applicant instead of her father in order to bottle up the CIBIL score of her father. Hence, the petitioner is not entitled for educational loan. Accordingly, he prayed for passing appropriate orders.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials placed on record.

6. Though the petitioner has made an application seeking educational loan before the respondent Bank, however, it is pointed out by the learned counsel appearing for the respondent that the petitioner's father has already obtained two loans, one of which from MSME and another is a personal loan which was obtained from the Indian Overseas Bank and as there was default



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in payments, the said loan accounts were classified as NPA, which subsequently was reflected in the CIBIL score. He further pointed out that the petitioner has mentioned her mother as a co-applicant instead of her father in order to cover up his CIBIL score. Hence, the respondent has rightly rejected the petitioner's claim seeking educational loan. Accordingly, the prayer sought for by the petitioner cannot be granted.

7. With the above observation, this writ petition is dismissed. No costs.

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RAP

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No



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M.DHANDAPANI,J.

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