



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13852 of 2020
and
W.M.P.No.19844 of 2020

C.Akshara

... Petitioner

Vs.

1.The General Manager,
Indian Bank,
CPPC, No.66,
Rajaji Salai, Fourth Floor,
Chennai – 600 001.

2.The Zonal Manager,
North Zonal Office,
Indian Bank Building,
5th Floor, 66 George Town,
Rajaji Salai,
Chennai – 600 001.

3.The Manager,
Indian Bank,
Ashok Nagar Branch,
No.69, First Avenue,
Ashok Nagar,
Chennai – 600 083.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records culminating in the impugned letter dated 13.05.2019 rejection of the loan by the 2nd respondent and intimated by the 3rd respondent to the Petitioner quash the same and directing the 2nd respondent to re-consider the loan application No. LOANIB752946 dated 05.12.2018 and approve the loan amount of Rs.1 Crore which will ensure that the petitioners (student) future can be secured.

[Prayer amended vide order dated 05.01.2021 made in WMP.No.19843/2020 in WP.No.13852/2020]

For Petitioner : Ms.Shaikh Mehrunisa

For Respondents : Mrs.S.R.Sumathy

ORDER

The amended relief sought for in the present writ petition is to quash the order of rejection passed by the Indian Bank in proceedings dated 13.05.2019 declining the request of the writ petitioner to grant of educational loan is under challenge.

2. The petitioner states that he had submitted a loan application on 05.12.2018 to approve a loan amount of Rs.1 Crore, stating that the petitioner has secured admission to M.B.B.S course in a Private Medical College under



management quota. The petitioner requested the respondent / Bank to sanction loan and they have failed to do so. Thus, the present writ petition has been filed. During the pendency of the writ petition, the respondent / Bank considered the application submitted by the writ petitioner and rejected the same mainly on the ground that the petitioner has availed admission through management quota. It is further stated that at a total cost of Rs.105.75 Lakhs for pursuing the M.B.B.S Course, the probability of the Student earning as much to repay the loan after completion of his course very low. More so, the petitioner has secured 66.67% marks in the Higher Secondary Course.

3. The learned counsel for the petitioner mainly contended that the petitioner secured admission for M.B.B.S course in the Sri Balaji Medical College and Hospital and submitted loan application to sanction a sum of Rs.1 Crore. The petitioner being a bona fide student pursuing M.B.B.S course is eligible for educational loan and thus, the order impugned is liable to be quashed and direction issued to sanction educational loan.

4. The reasons stated by the respondents / Bank is that the petitioner secured admission to M.B.B.S course under the management quota. If at all



the petitioner secured admission under Government quota, the Bank would be in a position to consider the case to pay the Government fees. As far as the claim of the writ petitioner to sanction Rs.1 Crore is concerned, the reason stated by the respondent that there is no probability of the student earning as much to re-pay the EMI after completion of the Course is very low. Grant of Educational Loan is to be made scrupulously with reference to the guidelines issued to the Nationalised Banks.

5. In the present case, the reason stated for the rejection of the educational Loan to the petitioner is acceptable and therefore, this Court is not inclined to interfere with the order passed by the respondent in proceedings dated 13.05.2019.

6. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

02.01.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

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