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W.P.No.13601 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13601 of 2024

U.Tenisha

... Petitioner

Vs.

Indian Bank
Rep.by its Branch Manager
Tiruvanmiyur Branch
Tiruvanmiyur, Chennai 600 041.

....Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in Vidya Lakshmi Electronic Platform with application ID reference No.1696366, Student ID No.1632821, Student Name: TENISHA, dated 05.04.2024, and quash the same as illegal and consequently direct the respondent to sanction the educational loan to the petitioner as per the bonafide certificate issued by the college authorities viz., Hindu Mission College of Nursing, Tambaram, Chennai dated 26.03.2021



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and uploaded in the official portal, within a time frame to be fixed by this Court.

For Petitioner : Mr.K.A.Mariappan

For Respondent : Ms.A.Smrithi
(No appearance)

ORDER

This Writ Petition is filed for a Writ of Certiorarified Mandamus, challenging the order that is passed and uploaded in the online platform with reference to the application of the petitioner, bearing ID Reference No.1696366, Student ID No.1632821, dated 05.04.2024 and to quash the same as illegal and consequently, direct the respondents to sanction the educational loan to the petitioner as per the bonafide certificate issued by the college Authorities, namely, Hindu Mission College of Nursing, Tambaram, Chennai, dated 26.03.2021.

2. The petitioner got admitted into the said College and now, studying in the 4th year of the nursing course. The petitioner had originally applied for an educational loan for a total sum of Rs.8,60,000/- being the fees for all the four years of the nursing course. The application was kept pending



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and was ultimately rejected by the impugned order, dated 05.04.2024, by which time, the petitioner was in the 3rd year. The petitioner had borrowed amount from private lenders and has managed to pay the amount for three years. Now the 4th year fee is due and the petitioner is yet to pay the same.

3. The learned counsel for the petitioner submits that even at this point of time, the petitioner is in need of atleast 50% of the original loan amount to manage herself, so that, atleast partly she can repay the private borrowers and also to pay the current years fee.

4. Eventhough the parties do not have a right to approach the Court under Article 226 for grant of loan, in respect of an educational loan, when a different view is taken and when the scheme has been floated for grant of educational loan, if the same is unreasonably denied, then the Court can interfere and direct the respondents to disburse the loan. When this Writ Petition is filed and notices were also served on the respondent and eventhough the respondent had entered appearance, the respondent bank has not chosen to contest the Writ Petition.



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5. In view of the overall facts and circumstances of the case, the

Writ Petition is disposed of on the following terms;

(i) By following their procedure, the respondent bank is directed to sanction and release educational loan to the petitioner totalling to the tune of Rs.4,00,000/- upon which, the current year fees shall be directly released to the college and the rest of the amount shall be paid to the petitioner. Repayment schedule etc., will be subject to the rules of the respondent Bank;

(ii) The above said exercise shall be completed within a period of two weeks from the date of receipt/production of the website uploaded the copy of the order without awaiting for the certified copy of the order.

(iii) No costs.

07.02.2025

Neutral Citation : Yes/No
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To

The Indian Bank
Rep.by its Branch Manager
Tiruvanmiyur Branch
Tiruvanmiyur, Chennai 600 041.



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D.BHARATHA CHAKRAVARTHY, J.

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