



WEB COPY

WA No. 732 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WA No. 732 of 2025

and

CMP.Nos.6206 &6209 of 2025

1. P.Thivagarar
S/o. C. Peroumalle
No. 41 Ashokan Street Ext Nethaji
Nagar 1
Uppalam Puducherry 605 001

Appellant(s)

Vs

1. The Chief Manager
Customer Service Department
Indian Overseas Bank
Anna Salai
Chennai

2.The Regional Manager
Indian Overseas Bank
ECR Road Pondicherry

3.The Manager



Indian Overseas Bank
Petty Bazzar Branch
Lal Bahadursastri street
Pondicherry 605 001

Respondent(s)

PRAYER

To set aside the order dated 22-04-2024 passed by this Court in WP.No.19804 of 2021.

For Appellant(s): Mr.C.Senapathi

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The Writ order dated 22.02.2024 in W.P.No.19804 of 2021 is under challenge in the present Writ Proceedings.

2. The claim of the appellant is that he is eligible to avail Vidyajothi Scheme Educational Loan to pursue MBBS course. Under the Vidyajothi Scheme, the Government provides subsidy and the said benefit has not been extended to the appellant.

3. Learned counsel for the petitioner would submit that the appellant is entitled to avail benefit of Vidyajothi scheme to pursue his MBBS course, however, the Bank has not extended the said benefit. The request made by the appellant to extend the subsidy benefit has not been considered. It is further

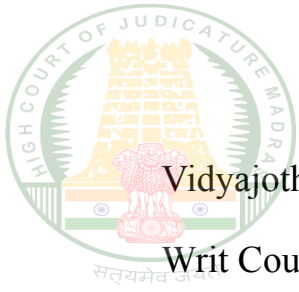


contended that the benefit of subsidy was granted for one term and subsequently, it was stopped. Therefore, the petitioner filed the Writ Petition.

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4. The Writ Court considered the issues. The respondent admitted the fact that the subsidy benefit was extended for one term mistakenly and subsequently, it was stopped. The Bank also reiterated that the appellant applied under IOB Scholar Scheme. Therefore, the appellant is not eligible to avail the benefit of the Government subsidy. The subsidy extended for one term was an error committed by the Bank and thereafter, it was stopped immediately.

5. Beyond the controversy, it is needless to state that the borrower is bound by the terms and conditions of the loan. Therefore, it is necessary to look into the nature of loan sanctioned and the terms and conditions stipulated therein. The sanction letter enclosed along with the typed set of papers in the present Writ Appeal would reveal that the appellant was sanctioned *"Term Loan to pursue under IOB Scholar to pursue MBBS Course at Vinayaka Mission's Medical College & Hospital, Karaikal"*. In the terms and conditions stipulated under the sanction letter, there is no such benefit under the Government subsidy. Therefore, the said terms and conditions are binding on the appellant. If at all the petitioner is eligible, then he has to approach the Bank for revision of loan scheme or otherwise. As far as the loan sanctioned to the appellant is concerned, it is under IOB scholar scheme. Therefore, the Writ Court has rightly concluded that the appellant is not eligible to avail the Government subsidy under the



Vidyajothi scheme. Thus, this Court finds no infirmity in the order passed by the Writ Court.

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6. Accordingly, the order passed by the Writ Court in W.P.No.19804 of 2021 dated 22.04.2024 is confirmed and the Writ Appeal is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

17-03-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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**S.M.SUBRAMANIAM
J.
AND
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