BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.12693 of 2025

A.Ushananthini ... Petitioner

Vs.

1.Reserve Bank of India,
Represented by The Regional Director,
Southern Region,
Fort Glacis, No.16,
Rajaji Salai, Chennai - 600 001.

2.The General Manager,
State Bank of India,
Circle Office, BSNL Building,
College Road, Greames Road,
Chennai - 600 006.

3.The Regional Manager,
State Bank of India,
Regional Business Office -2,
RMH Road,
Opposite to Government Hospital,
Thanjavur District.

4.The Branch Manager,
State Bank of India,
Kumbakonam Bazar Branch,
Kumbakonam,
Thanjavur District. ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the third and fourth respondents to sanction the Educational Loan of Rs.3,77,500/- (Rupees Three Lakhs Seventy Seven Thousand and Five Hundred only) by processing the In-Principle Offer Letter in Application No.RAASEL20245008178906 dated 02.12.2024 issued by the third respondent on the basis of the petitioner's representation dated 07.04.2025 and consequently directing the third and fourth respondents not to deny the educational loan to the petitioner by citing the unpaid previous loan obtained by the petitioner's mother in accordance with law within a time stipulated by this Court.

For Petitioner	: Dr.R.Alagumani
For R1	: Mr.K.R.Laxman
For R2 to R4	: Mr.S.Anwar Sameem

<u>O R D E R</u>

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the third and fourth respondents to sanction the educational loan of Rs.3,77,500/- (Rupees Three Lakhs Seventy-Seven Thousand and Five Hundred only) by processing the In-Principle Offer Letter in Application No. RAASEL20245008178906 dated 02.12.2024, issued by the third respondent, based on the petitioner’s representation dated 07.04.2025, and consequently, directing the third and fourth respondents not to deny the said educational loan to the petitioner by citing the unpaid previous loan obtained by the petitioner's mother, and to consider the same strictly in accordance with law within the time stipulated by this Court.

2. The petitioner appears to be a student pursuing III Year Engineering at Parisutham Institute of Technology and Science, Thanjavur, affiliated to Anna University, Chennai. It appears that the petitioner's mother had applied for an educational loan for the petitioner on 28.05.2024. However, the said loan application was not processed.

3. Today, when the case was taken up for hearing, the learned counsel for the second to fourth respondents produced a copy of a letter dated 08.04.2025, wherein it has been stated that the petitioner's mother is herself a borrower and a defaulter of a loan, and therefore, she cannot apply for an educational loan for the petitioner as a co-borrower. Hence, the petitioner may approach the bank with some other co-borrower. The aforesaid communication dated 08.04.2025, addressed to the petitioner, reads as under:

Respected Sir/Madam,

Sub: Processing of Educational loan

As per the letter received on 08-04-2025 from the above- mentioned applicant, we would like to inform you that as per the CIBIL report the co-applicant Mrs.Indhira.A has availed the following loans which have overdue and one of the loans is also restructured.

1. Personal loan on 05-07-2024 for a limit of Rs.70000/- and currently the loan is active with the overdue of Rs. 3,439/- and restructured.

2. JLG Individual loan on 14-09-2023 in IDFC Bank for a limit of Rs.10000/- and currently the loan is active with the overdue of Rs.9,100/-

3. JLG Individual loan on 01-06-2023 in Dvara Kshetriya Gramin Financial for a limit of Rs.70000/- and currently the loan is active with the overdue of Rs.7,544/-.

4.JLG Individual loan on 12-10-2022 in Ujjivan Small Finance Bank Ltd for a limit of Rs.100000/- and currently the loan is active with the overdue of Rs11,535.

Hence kindly provide the statement for that loan account for the above mentioned loan accounts or kindly change the co-applicant/ co-borrower. Co-Borrower should be parent/natural guardian of the student borrower. In case of married person, co-obligator can be spouse or the parent(s)/parents in law. Wherever parents/guardians are not there, grandparent may be considered as co-borrower to the loan taking into account their net worth. In cases where the parent natural guardian/ spouse/grandparent are not alive, a Major sibling/Relative/Third party is acceptable to the Bank as co-borrower to the loan account.

We would also like to inform you that we have clearly explained the above to the relative of the customer, Mr.Swaminathan, who represented the customer on 03-03-2025. Hence kindly provide the required documents for processing of the loan.

4. Considering the same, this Writ Petition stands disposed of with a direction to the petitioner to comply with the condition stipulated in the aforesaid communication. In case the petitioner complies, the respondents shall consider the petitioner's application favourably and disburse the educational loan, as the petitioner's education is in jeopardy. No costs.

26.06.2025

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes/No
Speaking Order / Non-Speaking Order

To

The Regional Director,
Reserve Bank of India,
Southern Region,
Fort Glacis, No.16,
Rajaji Salai, Chennai - 600 001.

C.SARAVANAN, J.

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W.P.(MD) No.12693 of 2025

26.06.2025