

M. Bruce Milton Vs. The General Manager, Reserve Bank of India, Chennai and Another

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Court : Chennai Madurai

Decided On : Nov-23-2015

Judge : K. Ravichandrabaabu

Appeal No. : Writ Petition (MD)No. 18499 of 2015 & M.P.(MD).Nos. 1 & 2 of 2015

Appellant : M. Bruce Milton

Respondent : The General Manager, Reserve Bank of India, Chennai and Another

Judgement :

(Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned letter dated 22.09.2015 issued by the second respondent herein and quash the same and consequently direct the second respondent to sanction educational loan Rs.2,81,400/- to the petitioner within a time frame.)

1. This Writ Petition is filed challenging the order of the second respondent rejecting the request of the petitioner for grant of education loan.

2. The petitioner is pursuing law degree. The petitioner sought for educational loan to the tune of Rs.2,81,400/- from the second respondent. The said claim was rejected by the second respondent by passing the impugned order stating that the

petitioner has not complied with the specified norms in respect of cut off marks. However, after notice in the Writ Petition, today, when the matter is taken up for further hearing, the learned Standing Counsel appearing for the second respondent bank submitted that by proceedings dated 21.11.2015, the petitioner was provisionally sanctioned a loan of Rs.1,87,000/- under the Educational Loan Scheme subject to fulfillment of the terms and conditions of the bank. Therefore, the learned Standing Counsel for the second respondent submitted that the petitioner can approach the bank and furnish the required documents and get the remaining loan amount.

3. Per contra, the learned Counsel appearing for the petitioner submitted that as the loan amount sought for is Rs.2,81,400/-, granting of Rs.1,87,000/- will not serve the purpose and therefore, the second respondent can consider the payment of remaining loan amount also.

4. For the above-said submission, the learned Standing Counsel appearing for the second respondent bank submitted that it is for the petitioner to approach the second respondent and make necessary request with supporting documents seeking for the balance amount as well and if any such request is made, the same will be considered, if the petitioner is eligible to get the same. Therefore, he seeks for the disposal of this Writ Petition under the above stated facts and circumstances of the case.

5. Though this Writ Petition is filed challenging the order of rejection, in view of the subsequent development that has taken place namely issuing the provisional sanction of loan amount of Rs.1,87,000/- through proceedings dated 21.11.2015, nothing survives in the present Writ Petition to be adjudicated upon further as the impugned order is passed by the second respondent has become ineffective. However, in respect of the balance loan amount, as suggested by the learned Standing Counsel for the second respondent bank, it is for the petitioner to approach the second respondent and seek for disbursement of balance amount also. As and when any such request is made by the respondent, the second respondent shall consider the same and pass appropriate orders, without loss of further time.

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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