

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.09.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.23349 of 2014
and
M.P.No.1 of 2014

K.Rangasamy

.. Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Tiruppur.
- 2.The District Manager,
Tamil Nadu Adi-Dravida Housing
Development Corporation,
Tiruppur.
- 3.The Manager,
Corporation Bank,
Ram Nagar Branch,
Tiruppur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the third respondent to grant loan of Rs.3,43,460/- to the petitioner.

For Petitioner : Mr.P.Saravanan

For Respondents : Mr.K.Rajendra Prasad, GA for R-1
Mr.S.Sethuraman for R-3
No appearance for R-2

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ORDER

Heard the learned counsels appearing on behalf of the petitioner, as well as the respondents 1 and 3. There is no representation on behalf of the second respondent.

2 This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the third respondent to grant a loan of Rs.3,43,460/-, to the petitioner, based on the communication sent by the second respondent, to the third respondent, dated 26.2.2014.

3 The petitioner had stated that he had submitted an application, dated 18.12.2013, to the second respondent, for doing the business in Truss work. The petitioner belongs to Adi Dravidar community. It had been further stated that, as per the Government Order, in G.O.Ms.No.71, Adi Dravidar and Tribal Welfare Department, dated 09.10.2014, the petitioner ought to have been granted the loan, as requested by him. However, the third respondent had stated that the petitioner had not been able to explain the activities that he had proposed to undertake and that sufficient income would not be generated by the petitioner, for the repayment of the loan. In such circumstances, the petitioner has preferred the present writ petition, before this Court, under Article 226 of the Constitution of India.

4 The learned counsel appearing on behalf of the third respondent Bank had submitted that the petitioner was not able to explain the nature of the activities, in carrying on the Truss business, for which he had made an application, for the grant of the loan. He had further stated that the petitioner would not be in a position to repay the loan amount, if it is sanctioned and granted to him, for the purpose of carrying on his business. Therefore, the application of the petitioner had been returned to the second respondent.

5 In view of the submissions made by the learned counsels appearing on behalf of the parties concerned, this Court is of the considered view that the petitioner could be permitted to make a fresh application, for the grant of the loan, to the second respondent, giving the necessary details, relating to his business, within a period of two weeks from the date of the receipt of a copy of this order. On receipt of such application, the second respondent shall process the same and forward it to the third respondent, at the earliest, for the grant of the loan. The third respondent, on receipt of the application from the second respondent, shall process the same and if further details are necessary, the third respondent could obtain the same from the petitioner, before the application is considered. If the third respondent is satisfied with regard to the viability of the business, proposed to be carried on by the petitioner, the loan may be granted, by following the procedures

prescribed. The third respondent shall complete the said process, on receipt of the application by the second respondent, within a period of four weeks thereafter. The writ petition is ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Office of the Collectorate,
Tiruppur.
- 2.The District Manager,
Tamil Nadu Adi-Dravida Housing
Development Corporation,
Tiruppur.
- 3.The Manager,
Corporation Bank,
Ram Nagar Branch,
Tiruppur District.

+lcc to M/S.P.Saravanan, Advocate Sr.50254
+lcc to M/S.S.Sethuraman, Advocate Sr.50627

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srg 22/09/2016