

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.17482 of 2015

M.Dhandapani

.. Petitioner

Vs.

- 1.The General Manager,
Indian Overseas Bank,
Central Office,
No.763, Anna Salai,
Chennai-600 002.
- 2.The Regional Manager,
Indian Overseas Bank,
Pondicherry,
Pin-605 004.
- 3.The General Manager (DIC),
District Industries Centre,
Thiruvannamalai District.
- 4.The Branch Manager,
Indian Overseas Bank,
Keezhpennathur Branch,
Thiruvannamalai Taluk & District.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the 4th respondent to consider the loan application to the tune of Rs.24,20,000/- (Rupees Twenty Four Lakhs Twenty Thousand Only) sought for by the petitioner for pursuing the brick manufacturing industry under the Prime Minister Employment Generation Programme (PMEGP) 2014-2015 based on the representation of the petitioner dated 11.3.2015.

For Petitioner : Mr.K.Murugesan
For Respondents : Mr.Y.Jyothish Chander
for RR1,2 and 4

Mr.R.Ravichandran, AGP for R3

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ORDER

Heard Mr.K.Murugesan, the learned counsel, appearing for the petitioner, Mr.Y.Jyothish Chander, the learned counsel, appearing on behalf of respondents 1,2 and 4 and Mr.R.Ravichandran, the learned Additional Government Pleader, appearing on behalf of the third respondent.

2 This writ petition has been filed, praying that this court may be pleased to issue a writ of mandamus to direct the fourth respondent, to consider the loan application submitted by the petitioner, for the grant of loan, for setting up a brick manufacturing industry, under the Prime Minister's Employment Generation Programme (PMEGP), 2014-15.

3 The learned counsel, appearing on behalf of the petitioner, had submitted that, in spite of the petitioner complying with all the necessary requirements, for obtaining the said loan, the fourth respondent is not processing the application made by the petitioner, dated 13.4.2014. Therefore, the petitioner has filed the present writ petition before this Court, invoking its jurisdiction, under Article 226 of the Constitution of India.

4 The learned counsel, appearing on behalf of respondents 1,2 and 4, had submitted that the application submitted by the petitioner, dated 13.4.2014, for the grant of loan, is defective in nature. The petitioner has to comply with the necessary requirements, as specified in the counter affidavit filed by the fourth respondent, dated 18.11.2015. He has further submitted that if the petitioner complies with the necessary requirements, the application submitted by him, dated 13.4.2014, would be processed and appropriate orders would be passed on the said application, relating to the grant of such loan.

5 In view of the said submissions made by the learned counsel, appearing on behalf of respondents 1,2 and 4, this Court is of the considered view that the petitioner would be permitted to rectify the defects in the application submitted by him, dated 13.4.2014, and to fulfill the other criteria, for the grant of the said loan. As such, the petitioner shall comply with the necessary requirements, as pointed out by the fourth respondent, in the counter affidavit filed before this court, dated 18.11.2015, and to fulfill the other criteria, if any, to become eligible for the grant of loan, in favour of the petitioner, within a period of four weeks from the date of receipt of a copy of this order. On such fulfillment of the requirements pointed out by the fourth respondent and on the petitioner, placing all necessary records to substantiate his claim, with regard to his eligibility to obtain the said loan,

the fourth respondent shall process the application submitted by the petitioner, dated 13.4.2014, and pass appropriate orders thereon, within a period of four weeks thereafter.

6 The writ petition is disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vvk

To

1.The General Manager,
Indian Overseas Bank,
Central Office,
No.763, Anna Salai,
Chennai-600 002.

2.The Regional Manager,
Indian Overseas Bank,
Pondicherry,
Pin-605 004.

3.The General Manager (DIC),
District Industries Centre,
Thiruvannamalai District.

4.The Branch Manager,
Indian Overseas Bank,
Keezhpennathur Branch,
Thiruvannamalai Taluk & District.

+1 cc to Mr.Y.Jyothish Chander Advocate sr.34827/16

+1 cc to Mr.K.Murugesan Advocate sr.34832/16

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aa12/07/2016