

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2016

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.3098 of 2013
and M.P.No.1 of 2013

K.Ramalingam

.. Petitioner

Versus

1. The Branch Manager,
Indian Bank,
Mazhavanthangal, Gingee Taluk,
Villupuram District.

2. The Assistant Director
TamilNadu Khadi and Village
Industries Board,
Villupuram.

3. The District Collector
Villupuram District,
Villupuram.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a writ of certiorarified mandamus or any other or direction in the nature of appropriate writ calling for the records of the first respondent of his letter dated 04.02.2011 and quash the same and thereby direct the first respondent to sanction the loan of Rs.5,00,000/- (Rupees Five lakhs) for the project proposal submitted by the petitioner under Prime Minister's

Employment Generation Programm, Gramodhoyog Rojar Yojana for the Brick Manufacturing unit of the petitioner at Adukkam Village, Villupuram District.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.V.Kalyanaraman for R1
Mr.V.S.Ramesh, Govt. Advocate for R2 & R3

ORDER

The prayer in the writ petition is for issuance of writ of certiorarified mandamus calling for the records of the first respondent's letter dated 04.02.2011 and quash the same and thereby direct the first respondent to sanction the loan of Rs.5,00,000/- (Rupees Five lakhs) for the project proposal submitted by the petitioner under Prime Minister's Employment Generation Programm, Gramodhoyog Rojar Yojana for the Brick Manufacturing unit of the petitioner at Adukkam Village, Villupuram District.

2. Pursuant to a scheme devised by the Central Government under the Prime Minister's Employment Generation Progame, the second respondent had invited applications for the purpose of selecting persons to send proposals to the area bank for sanctioning loan for the village industries. The petitioner had also applied on 25.01.2010 for a loan under the said scheme. However, his application was rejected by an order dated 04.02.2011 passed by the first

respondent, aggrieved against which, the petitioner has filed the present writ petition.

3. The object of the Prime Minister Employment Generation Program was to develop employment opportunities in rural and urban areas for setting up "new" self employment ventures/projects/micro enterprises. Among the eligibility conditions for the beneficiaries of the scheme, it was specifically prescribed that only new projects for activities are eligible for assistance under the scheme and that the existing units which have already availed subsidy under any other scheme are not eligible.

4. The petitioner's application was rejected by the first respondent on the ground that, the applicant is in the business of Brick Kiln activity for the last five years and that he is not a new entrepreneurship in the field. This decision of the first respondent was arrived at after a field visit in the proposed site of the applicant. The petitioner's business being in existence for the past five years is evidenced in the first respondent letter dated 04.02.2011 addressed to the second respondent. As stated above the scheme is envisaged only to encourage new self employment and not for existing units. Since the petitioner has been running the Brick Kiln Unit for the past five years the first

respondent is justified in rejecting this application.

M.S.RAMESH.J.,

dpq

5. Under such circumstances I see no merits in the present writ petition. Accordingly this writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is also closed.

10.11.2016

Index :Yes/No.

Internet:Yes/No.

dpq

To

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