

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.3635 of 2016

C.Kumar

... Petitioner

Vs.

1. The Secretary to the Government,
Schedule Cast and Schedule Tribe
Welfare Department,
Secretariat,
Chennai - 9.

2. The District Collector,
Kancheepuram District.

3. The District Manager,
Tahdco - Kancheepuram,
Kancheepuram District.

4. The Branch Manager,
Indian Bank,
Edaikai Nadu,
Cheyyur Taluk,
Kancheepuram District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 4th respondent to sanction the loan amount of Rs.5,00,000/- to the petitioner based on the recommendation letter of the 3rd respondent made in his proceedings Na.Ka.No.TAHDCO-2014-15-EDP-KP-2096 dated 03.08.2015.

For Petitioner : Mr.P.Gopiraja

For Respondents : Mr.S.Pattabiraman for R1 and R2
Government Advocate
Mrs.Rita Chandrasekar for R4
for M/s.Aiyer & Dolia

O R D E R

The present writ petition has been filed seeking a Mandamus directing the fourth respondent to sanction the loan amount of Rs.5,00,000/- to the petitioner based on the recommendation letter of the third respondent made in his proceedings Na.Ka.No.TAHDCO-2014-15-EDP-KP-2096, dated 03.08.2015.

2.The petitioner belongs to Adi-Dravidar Community (Schedule Caste) and majority of the people belonging to the said community are very poor and living below the poverty line. The Government of Tamil Nadu with an intention to uplift the Adi-Dravidar Community people introduced various financial assistance schemes through Tamil Nadu Adi Dravida Housing Development Corporation. The Government has also passed Government Order in G.O.No.71, dated 09.10.2014 framing guidelines for implementing various welfare schemes for providing financial assistance to Adi-Dravidar Community people through TAHDCO.

3.The petitioner wanted to avail financial assistance for his Entrepreneur Development Programme and hence, he submitted application for grant of financial assistance for his Entrepreneur Development Programme through online TAHDCO web address <http://application.tahdco.com> in application No.TAHDCO - 2014-15-EDP-KP-2096, dated 04.03.2015. The petitioner was called for personal interview by the third respondent through letter No.A2/02011431773091, dated 16.05.2015 and he was directed to appear for the interview on 10.06.2015 along with the necessary documents. Accordingly, the petitioner attended the interview and submitted the said documents to the third respondent and the third respondent through his proceedings made in Na.Ka.No.TAHDCO-2014-15-EDP-KP-2096, dated 03.08.2015 forwarded the petitioner's application dated 04.03.2015 to the fourth respondent recommending to sanction a sum of Rs.5,00,000/- to the petitioner and inspite of the same the fourth respondent failed to sanction the loan. Hence, the petitioner submitted a representation dated 28.10.2015 to the respondents 2 to 4, but no action has been taken. Hence the petitioner has come forward with this petition.

4.Today, when the matter is taken up for consideration, the learned counsel appearing for the fourth respondent/ Indian Bank submitted that the petitioner's application was rejected on 19.09.2015 itself on two grounds namely,

"1.Applicant is not having experience to run the business.

2.Mismatch in project cost, invoice and Amount recommended by TAHDCO"

She has also produced copy of the rejection order dated 19.09.2015.

5.At this juncture, the learned counsel appearing for the petitioner submitted that the rejection order was not served on the petitioner.

6.In view of the submission made by the learned counsel appearing for the petitioner, this Court directs the fourth respondent to serve a copy of the rejection order, dated 19.09.2015, to the petitioner within a period of three days from the date of receipt of a copy of this order and on receipt of the same, the petitioner is at liberty to challenge the same. This writ petition is accordingly disposed of. No costs.
pri

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

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Edaikai Nadu,
Cheyyur Taluk,
Kancheepuram District.

+ 1 cc to Mr.P.Gopiraja, Advocate, SR 13318

+ 1 cc to M/s.Aiyar & Dolia,Advocate, SR 13370

+ 1 cc to Government Pleader, High Court, Madras SR 13771

ksj(co)
prk4/3

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