

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.7871 of 2016

E.Jothilingam

... Petitioner

Vs.

- 1.The Managing Director,
TAHDCO,
Chennai-600 018.
2. District Manager,
District Manager Office,
TAHDCO, Kancheepuram.
3. The Collector,
Kancheepuram District Collector Office,
Kancheepuram.
4. The Regional Manager,
Canara Bank Circle Office,
Teynampet, Chennai-600 018.
5. The Manager,
Canara Bank,
Cheyyur Branch,
Cheyyur-603 302.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents 1 and 4 to direct the 5th respondent to pass suitable orders on the representation sent by the petitioner dated 01.02.2016 with a direction to disburse loan to the petitioner as per Nodal Order No.A1/EDP-431/2015/2016 dated 06.11.2015 under TAHDCO Scheme.

For Petitioner : Mr.M.Anandaraj

For Respondents : Mr.V.Jayaprakash Narayanan,
1 to 3 Special Government Pleader

For Respondents : Mr.K.Radhakrishnamurthy
4 and 5

ORDER

The petitioner has come up with the present writ petition to issue a Writ of Mandamus, directing the respondents 1 and 4, to give directions to the 5th respondent to pass suitable orders, on the representation sent by the petitioner, dated 01.02.2016 with a direction to disburse loan to the petitioner as per Nodal Order No.A1/EDP-431/2015/2016, dated 06.11.2015 under TAHDCO Scheme.

2. According to the petitioner, he belongs to Hindu Adi Dravidar Community and he applied for loan to set up Hardware Shop at Cheyyur under the scheme of TAHDCO Entrepreneur Development Programme (EDP) on 23.07.2014. The 2nd respondent called him to attend an interview on 10.09.2014 at 10.30 a.m. at Panjayat Union Office, Achirapakkam before the TAHDCO Selection Committee, by letter dated 28.08.2014. Accordingly, he attended the interview along with necessary documents and he was selected as an eligible person for loan and called for TAHDCO Claim Form III (consent letter) from the 5th respondent. Thereafter, the 5th respondent sent Form III to the 2nd respondent on 16.06.2015 with remarks stating that they are ready to give loan to borrower after getting subsidy and placed the same before the 3rd respondent for necessary orders. Based on the same, the 3rd respondent passed Nodal Order No.A1/EDP-431/2015/2016 dated 06.11.2015 releasing subsidy of Rs.2,25,000/- to the 5th respondent with a direction to the 5th respondent to sanction loan to the petitioner. A copy of the said order has been communicated to the petitioner by the 2nd respondent. However, the 5th respondent refused to give loan to him. The said order is valid only for 6 months from the date of the order. In this regard, the petitioner sent a representation to the 1st respondent on 01.02.2016 and the 4th respondent on 08.02.2016 to issue suitable directions to the 5th respondent to sanction loan to him under TAHDCO EDP Scheme. Since there is no response for the same, the petitioner is before this Court with this Writ Petition.

3. Learned counsel for the petitioner submitted that though the petitioner approached the 5th respondent bank on several occasions, the bank has not come forward to sanction loan to him under TAHDCO EDP Scheme.

4. On the other hand, the learned standing counsel appearing for the respondents 4 and 5 submitted that they are prepared to consider the request of the petitioner to disburse loan amount under TAHDCO EDP Scheme.

5. Considering the submissions made on either side, this Court permits the petitioner to approach the 5th respondent with

a request to disburse the loan amount under TAHDCO EDP Scheme, within a period of one week from the date of receipt of a copy of this order. On making such request, the 5th respondent is directed to pass appropriate orders with regard to the disbursement of loan under TAHDCO EDP Scheme, within a period of two weeks thereafter.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The Managing Director,
TAHDCO,
Chennai-600 018.
2. District Manager,
District Manager Office,
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rsi(CO)
srg(21/04/2016)