



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.15459 of 2016 and
W.M.P. (MD) No.11424 of 2016

UP.Raajasekar

... Petitioner

-vs-

1. The District Collector,
Sivagangai District.
2. The Assistant General Manager,
Karur Vysya Bank,
Madurai Regional, Madurai.
3. The Regional Manager,
Karur Vysya Bank,
Madurai Regional, Madurai.
4. The Branch Manager,
Karur Vysya Bank,
Sakkottai Branch,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by 4th respondent in SAKK/COM-REP/1/2016-2017 dated 03.08.2016 and quash the same as discriminatory and directing the respondents to grant loan by considering the petitioner representation dated 03.07.2016.

For Petitioner : M/s.S.M.S.Johnny Basha

For R1 : Mr.T.S.Mohamed Mohideen
Addl. Govt. Pleader

For R2 to R4 : Mr.Pala Ramasamy

O R D E R

This petition has been filed, seeking to quash the impugned order passed by the 4th respondent in SAKK/COM-REP/1/2016-2017 dated 03.08.2016 as discriminatory, by which, the request of the petitioner for grant of loan was rejected on some extraneous reasons. The petitioner also sought a direction to the 4th respondent to grant loan by considering the petitioner's representation dated



03.07.2016.

2. Heard the learned counsel for the parties. By consent, the writ petition itself is taken up for final disposal.

3. The case of the petitioner is that he had approached the 4th respondent Bank for a loan for development of his business and had furnished all documents, security etc. Even thereafter, there was no positive move on the side of the respondents 2 to 4 in processing the loan formalities and subsequently, it was rejected, by citing some unusual reasons, the one of which was that he had not submitted any loan application. Aggrieved by the same, the petitioner is before this Court with the above prayer.

4. At this juncture, the learned counsel appearing for R2 to R4 would fairly submit that in the event of the petitioner submitting a proper application duly filled-in, the same will be processed by the respondents and decision taken thereon. The learned counsel for the petitioner would submit that the petitioner is agreeable to submit a fresh application with all particulars to the respondents.

5. In view of the submissions made on either side, this writ petition is disposed, directing the petitioner to submit a proper application for loan to the respondents 2 to 4 along with all supporting documents within a period of two weeks from the date of receipt of a copy of this order and on such filing, the same shall be considered and appropriate decision taken thereon on merits and in accordance with law, within a period of four weeks thereafter, after affording an opportunity of hearing to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

The District Collector,
Sivagangai District.

+1cc to M/s.S.M.S.JOHNNEY BASHA Advocate in SR. No. 91083

+1cc to Mr.PALA RAMASAMY Advocate in SR. No. 91364

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JS/SKN.RSK/SAR.1/20.12.2017/2P-4C

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