



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.7165 of 2018

S.Arumugam

... Petitioner

vs.

1.The General Manager,
Head Office,
Indian Bank,
Avvai Shanmugam Salai,
Royapettah,
Chennai - 14.

2.The Regional Manager,
Indian Bank Regional Office,
First Floor, Kezha Avani Moolaveethi,
Madurai - 01.

3.The Manager,
Indian Bank,
Avaniapuram Branch, Avaniapuram,
Madurai.

4.The Commissioner,
Madurai Corporation, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent herein to give credit to a sum of Rs.50,000/- being the subsidy amount under the Swarna Jayanti Shahari Rozgar Yojana (SJSRY) - Urban Self Employment Programme (USEP) as sanctioned by the fourth respondent to the petitioner's loan account 911224799 in the third respondent bank and thereby direct the third respondent to reimburse the excess amount paid by the petitioner over and above the loan amount with 18% interest based on the petitioner's representation dated 23.01.2018.

For Petitioner	: Mr.M.Maran
For R-1 to R-3	: Mr.Palaramasamy
For R-4	: Mr.N.Shanmuga Selvam

O R D E R

Mr.Palaramasamy, learned counsel takes notice for the respondents 1 to 3 and Mr.N.Shanmuga Selvam, learned counsel for takes notice for the fourth respondent.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 23.01.2018, to give credit to a sum of Rs.50,000/- being the subsidy amount under the Swarna Jayanti Shahari Rozgar Yojana (SJSRY) - Urban Self Employment Programme (USEP) as sanctioned by the fourth respondent to the petitioner's loan account 911224799 in the third respondent bank and thereby direct the third respondent to reimburse the excess amount paid by the petitioner over and above the loan amount with 18% interest, has not been considered by the third respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 23.01.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

The Commissioner, Madurai Corporation, Madurai.

Copy to:

The Manager, Indian Bank, Avaniapuram Branch, Avaniapuram, Madurai.

+1CC to Mr.M.Maran, Advocate, SR.No. 62228

+1CC to Mr.Pala.Ramasamy, Advocate, SR.No. 61978

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17.04.2018