



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.8942 of 2018

M/s.Bharani Hollow Blocks
by its Proprietor V.Karuppan,
3/109, Pasupathiamman Kovil Near
Kalutharikkappatty,
Chinnampatti (po),
Kadavur (TK), Karur District.

... Petitioner

vs.

1. The Director,
Government of Tamilnadu,
NEED Scheme,
MSME Department,
Entrepreneurship Development Institute
T.I.Building, Guindy,
Chennai-600 032.
2. The Chairman/Secretary of Government,
Government of Tamilnadu,
NEED Scheme,
MSME Department,
Entrepreneurship Development Institute,
T.I.Building, Guindy,
Chennai-600 032.
3. The District Collector,
Karur,
Karur District.
4. The General Manager,
District Industrial Centre,
Thandonimalai,
Karur.
5. The Regional Officer,
Indian Overseas Bank,
IOB Towers,
Sathy Road Junction,
Erode- 638 003.



6. The Lead Bank Manager,
Indian Overseas Bank,
Lead Bank Office,
12-J, 80-Feet Road,
Sengunthapuram,
Karur-639 002.

7. The Branch Manager,
Indian Overseas Bank,
Tharagampatty,
Kadavur Tk,
Karur District-621 311

... 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 consider the petitioner's representation dated 16.02.2018 within a stipulated time.

For Petitioner : Mr.K.Asok Kumar Ram
For R1 to R4 : Mr.Gunaseelan Muthiah
Additional Government Pleader
For R5 to R7 : Mr.N.Dilip Kumar

O R D E R

Mr.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 to 4. Notice to the respondents 5,6 and 7 is dispensed with in view of nature of the order to be passed by this Court.

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 16.02.2018 seeking for further installment of the loan amount 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 16.02.2018 on its own merits and take further action in accordance with law, within a period of eight 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 as well as to the respondents 5, 6 and 7 and any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The Director,
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NEED Scheme, MSME Department,
Entrepreneurship Development Institute
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Chennai-600 032.
2. The Chairman/Secretary of Government,
Government of Tamilnadu,
NEED Scheme, MSME Department,
Entrepreneurship Development Institute,
T.I.Building, Guindy,
Chennai-600 032.
3. The District Collector,
Karur, Karur District.
4. The General Manager,
District Industrial Centre,
Thandonimalai, Karur.

+ 1 cc TO Mr.K.Ashok Kumar Ram , Advocate in SR No. 62680
+ 1 cc TO Mr.N.Dilip Kumar , Advocate in SR No.63205
+ 1 cc TO The Special Government Pleader in SR No. 63081

rmi/krk

AE/SV MMS/SAR2/07.06.2018/3P/8C