



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

W.P. (MD) No.16908 of 2018

Sundara Moorthy

... Petitioner

Vs.

1.The District Manager,
Tamil Nadu Adhi Dravidar Housing and
Development Corporation Limited(TAHDCO),
Dindigul District.

2.The Branch Manager,
Canara Bank,
Pallapatty,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus to direct the second respondent to disburse the loan amount to the petitioner based on the recommendation of the first respondent in his proceedings in Na.Ka.No.TAHDCO-2016-EDP-DG-111, dated 20.04.2017.

For Petitioner : Mr.B.Govindavasagam

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader
for R.1
: Mr.N.Dilipkumar
for R.2

ORDER

When the matter is taken up for hearing, it is represented by the learned Counsel appearing for the second respondent that as early as on 27.11.2017, the loan application submitted by the petitioner has been rejected by the bank on certain grounds. Without challenging the rejection order, the petitioner has approached this Court seeking for issuance of Writ of Mandamus.

2. According to the learned Counsel appearing for the second respondent, such prayer is not maintainable in view of the rejection of the application for loan submitted by the petitioner.

3. This Court is in agreement with the submissions made on behalf of the second respondent that the Writ of Mandamus cannot be claimed in a case of a specific rejection order is passed by the



second respondent rejecting the request of the loan sought by the petitioner herein. According to the learned Counsel appearing for the second respondent, receipt of the rejection order has already been acknowledged by the petitioner.

4. In case the petitioner is aggrieved by the rejection order passed by the respondent bank, it is always open to him to challenge the same. In the said circumstances, this Court is of the considered view that the Writ of Mandamus as sought in the writ petition cannot be granted and therefore, the same is dismissed as not maintainable. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Joint Registrar(Judicial)

/True Copy/

Sub Assistant Registrar(CS-II)

To

- 1.The District Manager,
Tamil Nadu Adhi Dravidar Housing and
Development Corporation Limited(TAHDCO),
Dindigul District.
- 2.The Branch Manager,
Canara Bank,
Pallapatty,
Dindigul District.

+1CC to Mr.B.Govindavasagam, Advocate, SR.No.86899
+1CC to Mr.N.Dilipkumar, Advocate, SR.No.86013
+1CC to the Special Government Pleader SR.No.86389

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ES/SKN/RSK/SAR 2/15.10.2018/2P/6C