

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15288 OF 2018

ORDER:

Heard Sri K.S.Murthy, learned counsel for the petitioner, learned Government Pleader for Social Welfare Department and Sri B.S.Prasad, learned counsel for respondents 5, 6 and 7.

This writ petition is filed seeking the following relief :-

“.....**WRIT OF MANDAMUS** declaring the action of the respondents especially R7 in not disbursing loan inspite of the proceedings by the District Collector under SC Action Plan 2017-18 as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to release the loan to the petitioner as promised and finalised by R3 on 20.11.2017 forthwith and pass such other order or orders.....”

It has been contended by the petitioner that he is a member belonging to Schedule Caste community and the 2nd and 3rd respondents recommended his case for sanction of loan. The grievance of the petitioner is that despite recommendations by respondents 2 and 3, the respondents 5, 6 and 7 are not disbursing the loan in favour of the petitioner.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing respondents 5, 6 and 7 to disburse the loan mount in favour of the petitioner by duly taking into account, the recommendations made by respondents 2 and 3, within a reasonable period.

Learned Standing counsel appearing for respondents 2 and 3 had also not disputed the contentions of the petitioner

that in principle respondents 2 and 3 recommended the case of the petitioner for sanction of loan.

Learned Standing counsel appearing for respondents 5, 6 and 7 contends that the case of the petitioner would be considered in view of the recommendations made by respondents 2 and 3 and appropriate orders would be passed within a reasonable period.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties is of the considered view that this writ petition can be disposed of directing respondent 5, 6 and 7 to consider the case of the petitioner for disbursing the loan amount by taking into account the recommendations made by respondents 2 and 3 within a period of eight (08) weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 26-02-2020
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