

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.28334 OF 2019

Sumathi

... Petitioner

Vs

1. The District Collector,
District Collectorate building,
Thaiyae kullam,
Gandhi Nagar,
Kanchipuram Taluk & District,
Pin Code-631501
2. The Managing Director,
Canara Bank,
Anna Salai,
Teynampet,
Chennai-600018.
3. The Regional Officer,
Regional office,
Near vishnu Kanchi Police Station,
Kanchipuram Taluk & District,
Pin Code-631501
4. The District Prime Officer,
Indian Bank First Floor,
No.41 & B Gandhi Salai,
Kanchipuram Taluk & District.
Pin code-631501.
5. The Branch Manager,
Canara Bank,
Maduranmangalam Village,
Kanchipuram District.
Pin Code-631501.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 5th respondent to consider the representation dated 27.06.2017 and to grant loan in favour of me, as per the official letter dated 21.05.2015 issued by the TAHDCO (Tamilnadu Adi-Dravidar Housing & Development Corporation to the 5th respondent.

For Petitioner : No appearance
For 1st respondent : Mr.U.Baranidharan,
Government Advocate
For Respondents 2,3 & 5 : Mr.A.Prakash

ORDER

The petitioner has filed this petition to issue a Writ of Mandamus directing the 5th respondent to consider the representation dated 27.06.2017 and to grant loan in favour of me, as per the official letter dated 21.05.2015 issued by the TAHDCO (Tamilnadu Adi-Dravidar Housing & Development Corporation to the 5th respondent.

2. The case of the petitioner is that she filed an application dated 23.12.2013 to TAHDCO/Tamilnadu Adi-Dravidar Housing & Development Corporation to avail loan for starting a self employment business to the tune of Rs.7,50,000/- and an official letter dated 21.05.2015 has been issued by TAHDCO accepting her application for loan. When the same was placed before the 5th respondent bank, an official consent for grant of loan was given to sanction the amount mentioned in the letter issued by TAHDCO. Such being the case, the present Manager of the 5th respondent bank has refused to sanction the loan amount in favour of the petitioner. Therefore the petitioner made a representation to the Respondents 1 to 5 on 27.06.2017 with regard to sanction of loan, however, till date no action has been taken by the 5th respondent bank. Aggrieved by the same, the present Writ Petition is filed seeking the above relief.

3. The learned counsel for the petitioner submits that after perusing all the document materials placed by the petitioner, an official consent for grant of loan was given by the 5th respondent in respect of the letter issued by TAHDCO and that the present Manager of the 5th respondent bank is refusing to sanction the loan in favour of the petitioner. Despite the petitioner making several representations to the respondents,

till date no action has been taken by the 5th respondent to sanction the loan amount as sought for by the petitioner which resulted in filing of the present Writ Petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 5th respondent to consider the petitioner's representation dated 27.06.2017 to grant loan in favour of the petitioner in respect of the letter dated 21.05.2015 issued by the TAHDCO and pass orders on the same within a particular time frame fixed by this Court.

5. On the above contention, this Court heard the learned counsel appearing for the 5th respondent and perused the counter filed in support to the said contentions.

6. This Court gave its careful consideration to the submissions and also the materials placed before this Court.

7. A perusal of the materials available on record reveal that though the petitioner had claimed a sum of Rs.750,000/- as loan, however, initially the application was rejected for due to certain deficiencies and, at a later point of time, the 5th respondent has come forward to sanction a loan of Rs.4,00,000/- and to that end, has submitted Form-III to TADHCO. However, the petitioner claims a loan of Rs.7,50,000/- for which, it is averred that necessary documents have been submitted through TADHCO. In this regard, the petitioner further avers that she has also submitted representation before the 5th respondent.

8. Though above contentions are advanced, however, this Court is not inclined to go into all the contentions. In the interest of justice and invoking the extraordinary jurisdiction of this Court, suffice to direct the 5th respondent to release the amount of loan immediately, which they are ready to sanction to the petitioner and if the petitioner is still in requirement of any further loan, the petitioner is permitted to file a fresh loan application before the 5th respondent, through proper channel along with the requisite documents within a period of four weeks from the date of receipt of a copy of this order and on such application being filed, the 5th respondent is directed to consider the said application and pass appropriate orders on merits and in accordance with law within a period of eight weeks thereafter.

9. This writ petition is disposed of with the aforesaid observations and directions.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

NHS

To

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+1cc to Mr.A.Prakash, Advocate, S.R.No.58778

W.P.No.28334 of 2019

PL(CO)
RLP(05/01/2022)