



W.P(MD)No.21780 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21780 of 2015

Ramasamy

... Petitioner

Vs.

1.The General Manager,
District Industries Centre,
Thanjavur.

2.The Branch Manager,
Union Bank of India,
Pattukottai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to extend financial assistance petition under the Scheme of Prime Minister's Employment Generation Programme 2015-16 at once.



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For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.N.Satheesh Kumar,
Addl. Government Pleader for R1.
Mr.N.Dilip Kumar for R2.

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ORDER

Heard the learned counsel on either side.

2.The petitioner wanted to avail loan from the second respondent under Prime Minister's Employment Generation Programme 2015 – 2016. Since the loan was not sanctioned, the present writ petition came to be filed.

3.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4.I am not swayed by the submission of the learned counsel for the petitioner. The respondents in their counter affidavit has stated that the petitioner's business was not found to be viable.



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5.The learned counsel for the bank also stated that when the lender has formed an opinion as regards the viability of the borrower's business, it is not for the Court to probe the matter further. He submitted that the scope for judicial review is rather limited in such cases.

6.I sustain the said objection. That apart, the scheme in question has since lapsed. Therefore, the matter in a way has become infructuous. The writ petition stands dismissed. I make it clear that dismissal of this writ petition will not operate as a bar for the petitioner to approach the second respondent again for financial assistance. No costs.

28.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

The General Manager,
District Industries Centre,
Thanjavur.

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G.R.SWAMINATHAN, J.

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