



W.P(MD)No.4060 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4060 of 2015

Murugesan

... Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Thirunelveli District,
Thirunelveli.

2.The Convenor,
Indian Overseas Bank,
Lead Bank, 2nd Floor,
131, East Car Street,
Thirunelveli District.

3.The Manager,
THADCO,
Thirunelveli District.

4.The Branch Manager,
Canara Bank,
Tenkasi Branch,
Thirunelveli District.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned communication in REF GDP-389 dated 15.12.2014 on the file of the second respondent and quash the same as illegal and consequently direct the respondents 2 and 4 herein to avail the loan which was sanctioned by the third respondent herein on 30.10.2014 in NA.KA.No. THADCO-2014-15-EDP-TN-8 by the way of Entrepreneur Development Programme within the time frame fixed by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.D.Gandhiraj
Special Government Pleader for R.1

Mr.N.Dilip Kumar for R.2 to R.4

ORDER

Heard the learned counsel on either side.

2. The petitioner was sponsored by THADCO for getting loan from the fourth respondent. When the petitioner approached the fourth respondent together with the order passed by THADCO, the fourth respondent declined to grant loan on the ground that the petitioner's business is not economically viable. That led to filing of this writ petition.



W.P(MD)No.4060 of 2015

3. The learned Standing Counsel appearing for the Bank submitted that the scheme under which the petitioner was sponsored has since expired. Instead of closing the petition as infructuous, I permit the petitioner to approach THADCO once again. I am confident that THADCO would sponsor the petitioner under any new scheme that might have been floated. Based on the same, the petitioner shall approach the fourth respondent Bank. The petitioner belongs to Scheduled Caste community. He is also ready to offer his sureties. If the petitioner is ready to offer sureties, the Bank shall be obliged to grant loan. If the petitioner is not able to offer surety, his application shall be considered as per the norms in force.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

13.09.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1. The District Collector,
Office of the District Collector,
Thirunelveli District,
Thirunelveli.



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G.R.SWAMINATHAN, J.

MGA

2.The Convenor,
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3.The Manager,
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