



WP (MD) No.16565 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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D.Rajmohan

... Petitioner

Vs

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Manager,
Tamil Nadu Adi Dravidar Housing and
Development Corporation Ltd.,(TAHDCO),
Virudhunagar District,
Virudhunagar.

3.The Manager,
Indian Overseas Bank,
Virudhunagar,
Virudhunagar District.

4.The Branch Manager,
Tamil Nadu Mercantile Bank,
Sattur,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to process the loan application and sanction loan to the petitioner for purchasing TATA Sumo Car under Self Employment Programme for Youth (SEPY) for 2015-2016 scheme, within a time frame fixed by this Court.

For petitioner	: Mr.P.Kalaiyarashi Bharathi
For R1 & R2	: Mr.M.Sarangan Additional Government Pleader
For R3	: No appearance
For R4	: Mr.V.Karthikeyan

ORDER

The petitioner has applied for a loan for purchase of a TATA Sumo Car under the Self Employment Programme for Youth (SEPY) Scheme in the year 2015 before the District Manager, Tamil Nadu Adi Dravidar Housing and Development Corporation Ltd, (TAHDCO), Virudhunagar District. The District Selection Committee has considered the petitioner's application and selected the petitioner as one of the beneficiary under the Scheme. The petitioner has submitted



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his application along with the required documents and has opted the Tamil Nadu Mercantile Bank for sanction of commercial vehicle loan on 12.11.2015. However, the fourth respondent by his letter, dated 24.11.2015 has returned the petitioner's application for the following reasons:

- i. The project report is not prepared properly.
- ii. The borrower has declared that he is applying the loan on behalf of his brother one Mr.Vetriselvam, who is working in Tamil Nadu Electricity Board.

Therefore, the petitioner has filed this writ petition in the year 2016 for a Mandamus, directing the respondents to process his loan application and sanction loan to the petitioner within a stipulated time.

2.The District Manager, Tamil Nadu Adi Dravidar Housing and Development Corporation Ltd (TAHDSCO) has filed a counter affidavit stating that the petitioner's application was duly processed by



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the District Level Committee and they have selected him as one of the beneficiaries. They have referred the application to the Tamil Nadu Mercantile Bank based on his request. The application of the petitioner was rejected by the fourth respondent Bank that it is not viable. If the petitioner is intended to get a loan from any other bank, he can very well approach the concerned Branch Manager and obtain a letter and thereafter approach the second respondent and the second respondent is also prepared to forward his application to that particular Bank. However, the petitioner has not approached with a consent letter of any other Bank.

3.This Court considered the rival submissions made and also perused the materials placed on record.

4.The fourth respondent Bank is not willing to process the application of this petitioner on the ground that the application has



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been made on behalf of one Vetriselvam, who is the brother of the petitioner. The said Vetriselvam is working in the Electricity Board. The petitioner has not challenged the communication of the fourth respondent and he has simply filed this writ petition for a Mandamus. The District Level Committee headed by the second respondent has already selected the petitioner as one of the beneficiaries under the Self Employment Programme for Youth (SEPY) Scheme and this petitioner's application was forwarded to the fourth respondent based on the reference made by this petitioner. The second respondent has taken a stand that in the event if any of the bank is willing to give loan to this petitioner, he can approach and obtain consent letter from that particular Bank and approach the second respondent. Thereafter, the second respondent is also prepared to forward his application to the concerned Bank, who is willing to sanction loan to this petitioner. It appears that the petitioner has not challenged the rejection order of the fourth respondent and has not approached any other Bank.



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5.In view of the above, this writ petition is disposed of with a liberty to the petitioner to approach any other Bank, obtain consent letter and thereafter approach the second respondent with necessary loan application. No costs.

13.12.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



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B.PUGALENDHI, J.

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