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W.P.(MD)NO.28013 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28013 of 2022

Manimegala

... Petitioner

Vs.

1. The District Manager,
Tamil Nadu Adi Dravidar Housing &
Development Corporation (TAHDCO),
Virudhunagar District.

2. The Branch Manager,
State Bank of India,
Watrap,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to sanction the Dairy farm loan for a sum of Rs.3,00,000/- (Three Lakhs) under the Entrepreneur Development Programme (EDP) Scheme 2022-2023 in view of the first respondent recommendation proceedings in Na.Ka.No.TAHDCO-2022-23-EDP-VN-156 dated 19.09.2022 within the time limit that may be stipulated by this Court for the following among other facts and circumstances of the case.



For Petitioner : Mr.A.D.Ganeshamoorthi

For R-2 : Mr.S.Sukumar

For R-1 : No appearance.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner wants this Court to direct the second respondent to sanction the dairy farm loan for a sum of Rs.3,00,000/- under EDP scheme.

3. It appears that the first respondent had already forwarded the application to the second respondent. However, the second respondent did not sanction the loan. Therefore, this writ petition came to be filed.

4. When the matter was taken up for hearing, the learned counsel appearing for the second respondent filed counter affidavit. Paragraph Nos.7 and 8 of the counter affidavit reads as follows:-



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“ 7. I submit that on receiving the application this respondent went to the petitioner's place for pre-sanction inspection, while so, it is observed that the petitioner has not adequate place for maintaining six cows and the statement given by the petitioner regarding tie-up with the co-operative society is false and she failed to furnish the purchaser details from whom she is going to purchase the cattle. Further, while on pre-sanction inspection it is found that the existing activity arrangement with private milk agency and the petitioner already have two cows and by obtaining loan she planned to purchase six cows. But there is no adequate space to maintain eight cows.

8. I submit that as per the project report submitted by the petitioner herein, the cost for raising green fodder is owned by her, but she did not mention any specific amount required for raising green fodder and where she is going to raise green fodder. Since the petitioner herein did



not furnish facts properly this respondent bank is not in a position to recommend her proposal to sanction the loan and thus take steps to return the proposal.”

5. Since such strong objection has been taken, it is not possible for this Court to grant the relief as prayed for. It is for the petitioner to satisfy the second respondent that she fulfils the norms in EDP scheme. If the second respondent is satisfied, the second respondent will sanction the loan as sought for. It is not for this Court to issue direction as such. Granting liberty to the petitioner to approach the second respondent once again, this writ petition stands disposed of. No costs.

25.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

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To:

1. The District Manager,
Tamil Nadu Adi Dravidar Housing &
Development Corporation (TAHDCO),
Virudhunagar District.
2. The Branch Manager,
State Bank of India,
Watrap,
Virudhunagar District.



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G.R.SWAMINATHAN,J.

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