



W.P.(MD)No.14588 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.12.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.14588 of 2024

Vijayalakshmi

... Petitioner

Vs.

1.The District Manager,
Tamil Nadu Adi Dravidar Housing
and Development Corporation (TAHDCO),
Collectorate, Madurai.

2.The Branch Manager,
Indian Bank,
Usilampatti,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned communication of the second respondent dated 02.12.2023 and quash the same as illegal and consequently direct the second respondent bank to consider the petitioner's representation dated 28.02.2024, to sanction loan for Diary farm unit and sanction loan as per subsidy amount released by the first respondent vide his communication in Nodal Order No.A1/265/22-23, dated 27.09.2022.

For Petitioner	: Mr.S.Sukumar
For 1 st Respondent	: Mr.S.Kameswaran Government Advocate
For 2 nd Respondent	: Mr.C.Karthick



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ORDER

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Challenging the rejection order passed by the respondent Bank dated 02.12.2023, this Writ Petition is filed.

2.Heard the learned counsels either side and carefully perused the entire materials available on record.

3.The petitioner submitted an application for setting up dairy farm under TAHDCO scheme with relevant documents and the first respondent had duly sanctioned the same and forwarded the case before the second respondent for approval. The petitioner is trying to establish a dairy unit from the year 2017 through the first respondent TAHDCO scheme by availing the loan from the second respondent. But every time, the second respondent Bank despite repeated sanctions made by the first respondent, on the guise of one requisition or other, keep on rejecting the petitioner's claim and lastly on 02.12.2023, the second respondent rejected for want of lease deed to be registered despite the petitioner producing an unregistered lease deed. The second respondent, considering the plight of unemployed youngsters struggling to get loan, ought to have properly advised the petitioner that the lease should be registered, thereby keeping his file pending, facilitating him to get registered. However, without doing the same, the second respondent



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Bank had rejected outrightly for want of registered lease deed. The petitioner now had duly registered the lease deed with the land owners on 14.02.2024.

4.The learned counsel appearing for the second respondent submitted that it is not the point of production of registered lease deed alone and he should have produced all the necessary documents.

5.For which, the learned counsel for the petitioner categorically submitted that he has been running from pillar to post right from the year 2017 before the second respondent with all necessary documents. However, every time the bank finds out a new reason to get his application rejected.

6.The learned counsel for the first respondent submitted that the scheme, by which the petitioner was sanctioned earlier, has lapsed and now the petitioner will have to apply afresh. In view of the same, the petitioner is directed to make an application before the first respondent utilizing the online portal of TAHDCO afresh for forming a dairy unit with all necessary documents. The first respondent is directed to consider the application and sanction forthwith and on obtaining the said sanction, the petitioner is further directed to approach the second respondent Bank. The second respondent on receipt of the said application, is directed to



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intimate the petitioner to furnish the details all the documents, which has to be produced by the petitioner within a period of one week and the petitioner thereafter is directed to submit all the documents within a period of four weeks from the date of intimation received from the second respondent. The second respondent on submission of all the aforesaid documents by the petitioner is directed to sanction the loan forthwith.

7.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

06.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

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L.VICTORIA GOWRI, J.

Mrn

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