

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 9-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.10322 of 2015

KK-233 Thethigiripatty Primary
Agricultural Cooperative Credit
Society Ltd.,
Thethigiripatty Post
Mettur Taluk, Salem District
Represented by its President
A.Pachamuthu ...Petitioner

vs

1. The Secretary to Government of India
Department of Agriculture & Cooperation
Ministry of Agriculture, Kishi Bhavan
Dr.Rajendra Prasad Road
New Delhi 110 001.
2. The Secretary to Government of India
Department of Financial Services
Ministry of Finance, Room No.35,
3rd Floor, Jeevandeep Building No.10,
Parliament Street, New Delhi 110 001
3. The Secretary to Government
Food, Cooperation and Consumer
Protection Department
Secretariat, Chennai 600 009
4. The Registrar of Cooperative Societies
Kilpauk, Chennai 600 010
- 5 .The Salem District Central Cooperative
Bank
Rep. By its Managing Director, Salem.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to consider the representation dated 19.1.2015, of

the petitioner regarding the release of Revival Package of share of Rs.1,12,48,765/- by Government of India forthwith without further delay to the petitioner's society.

For Petitioner : Mr.R.Thamarai Selvan

For Respondents : Ms.T.P.Savitha
Government Advocate
for RR3 & 4

Mr.L.P.Shanmugasundaram
Special Government Pleader
for R5

No appearance for RR1 & 2

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.According to the petitioner-Society, pursuant to the Government of Tamil Nadu Scheme, financial assistance of package amount of Rs.8,93,373/- was released in 2009-2010 and as per the Special Audit Report as on 31.3.2004, the first respondent herein is to release the package amount of Rs.1,12,48,765/- and in this regard, the petitioner has submitted a detailed representation dated 19.1.2015, to the concerned department including the first respondent, and since he has not been favoured with any response, came forward to file the writ petition.

3.The learned Counsel appearing for the petitioner, would submit that on account of non-release of the funds by the first respondent, the petitioner-Society is facing huge financial crisis and is not in a position to function smoothly and hence, prays for expeditious disposal of the said representation.

4.Ms.T.P.Savitha, learned Government Advocate, accepts notice for the respondents 3 and 4 and Mr.L.P.Shanmugasundaram, learned Special Government Pleader, accepts notice for the fifth respondent.

5.This Court, without going into the merits of the above said representation, directs the first respondent to consider and dispose of the petitioner's representation dated 19.1.2015, on merits and in accordance with law, as expeditiously as possible, not later

than twelve weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

nsv

-s/d-

Assistant Registrar()

True Copy

Sub-Assistant Registrar

To:

1. The Secretary to Government of India
Department of Agriculture & Cooperation
Ministry of Agriculture, Kishi Bhavan
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Secretariat, Chennai 600 009
4. The Registrar of Cooperative Societies
Kilpauk, Chennai 600 010
5. The Managing Director
Salem District Central Cooperative
Bank
Salem.

+ 1 cc to Mr.L.P.Shanmugasundaram, Advocate SR 20127

+ 1 cc to Mr.R.Thamaraiselvan, Advocate SR 19769

+ 1 cc to the Government Pleader SR 19887

bky(co)
prk21/4

W.P.No.10322 of 2015