

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE S.VAIDYANATHAN

W.P. No.13927 of 2016
and W.M.P.No.12197 of 2016

P.K.Deivasikamani .. Petitioner

-vs-

1.Union of India,
New Delhi, by its Secretary,
Home Department, New Delhi.

2.Union of India,
New Delhi, by its Secretary,
Finance Department, New Delhi.

3.Government of Tamil Nadu,
By its Secretary, Revenue Dept.,
Fort St. George, Chennai.

4.The Executive Director,
Reserve Bank of India,
Mumbai.

5.The Chairman,
Indian Banking Association,
Mumbai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to postpone the loan recovery proceedings against the farmers in Tamilnadu for the loan amount borrowed from 5th respondent banks, schedule banks, financial institutions and co-operative Societies.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.Su.Srinivasan,
Asst. Solicitor General, for RR 1&2
: Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A. For R3

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

We have already examined this issue in another writ petition being W.P.No.39329 of 2015 and closed the same recording the stand taken by the respondents therein vide order dated 04.02.2016. The stand taken by the Reserve Bank of India in that matter is that moratorium period for different lengths of time has been given depending on the nature of the loan and reliance was placed on the Master Circular dated 18.12.2015 read with minutes of the meeting of the State Level Bankers Committee held on 07.02.2015.

2.A communication dated 25.12.2015 has also been issued by the State Government notifying that the Government of India has declared the recent devastation caused due to torrential rains and floods in Tamil Nadu as 'Calamity of severe nature'. Thus, we see no purpose in having another petition which has no specific material in support of the same.

3.Writ Petition is closed. No costs. Consequently, W.M.P.No.12197 of 2016 also stands closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Secretary, Union of India,
Home Department, New Delhi.
- 2.The Secretary, Union of India,
Finance Department, New Delhi.
- 3.The Secretary to Govt. of Tamil Nadu,
Revenue Dept., Fort St. George, Chennai.
- 4.The Executive Director,
Reserve Bank of India, Mumbai.
- 5.The Chairman,
Indian Banking Association, Mumbai.

+1cc to Mr.S.Muthukrishnan, Advocate, S.R.No.23999
+1cc to M/s. Su. Srinivasan, Advocate, S.R.No.24810
+1cc to the Government Pleader, S.R.No.24810

NR-II(CO)

EU(27/04/2016)

W.P.No.13927 of 2016