

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.34097 of 2014

and

M.P.No.1 of 2014

A.Sivasubramanian

... Petitioner

Versus

1. The Registrar of Co-operative Societies,
Kilpauk, Chennai - 600 010.
 2. The Joint Registrar of Co-operative Societies,
Erode Region, Erode District.
 3. The Deputy Registrar of Co-operative Societies,
Erode.
 4. The President,
AA 220, Kangeyam Primary Agricultural Co-op
Bank Limited,
Old Kangeyam, Thiruppur District.
- ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for records on the file of the 4th respondent relating to the order issued in No.NIL dt. 23.4.2014 and quash the same and consequently direct the respondents to extend the benefits of Loan Waiven Scheme to the petitioner as announced by the Government in connection with Loan Account NO.T.D.Loan 20 A.5093 in the 4th respondent Cooperative Society.

For Petitioner : Mr.R.Chandrasekaran

For Respondents : Mr.T.P.Savitha (for R1 to R3)
Government Advocate
Mr.L.P.Shanmugasundaram (for R4)
Special Government Pleader

O R D E R

Mrs.T.P.Savitha, learned Government Advocate appearing for respondents 1 to 3, has raised a preliminary objection regarding maintainability of the writ petition stating that if

the petitioner is aggrieved by the impugned order, he has an effective revisional remedy under Section 153 of the Tamilnadu Co-operative Societies Act, 1983 and therefore, it is submitted that the writ petition is not maintainable.

2. Faced with this situation, learned counsel for the petitioner would fairly submit that the petitioner may be granted liberty to file a revision petition before the revisional authority, under Section 153 of the Act.

3. Accordingly, writ petition is disposed of by granting liberty to the writ petitioner to file a revision petition before the revisional authority and if such revision is filed within a period of 15 days from the date of receipt of a copy of this order, the revisional authority shall not reject the revision petition on the ground of limitation and consider the same on merits and pass a reasoned order in accordance with law. No Costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

ars

Sub Assistant Registrar

Note to office:

Registry is directed to return the original impugned order after obtaining an attested copy of the same from the learned counsel for the petitioner.

To

1. The Registrar of Co-operative Societies, Kilpauk, Chennai - 600 010.
2. The Joint Registrar of Co-operative Societies, Erode Region, Erode District.
3. The Deputy Registrar of Co-operative Societies, Erode.
4. The President,
AA 220, Kangeyam Primary Agricultural Co-op Bank Limited, Old Kangeyam, Thiruppur District.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.12040

+1cc to Mr.R.Chandrasekaran, Advocate, S.R.No.12270

+1cc to the Government Pleader, S.R.No.12582

W.P.No.34097 of 2014

MG(CO)

CA(10/03/2016)