

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.21783 of 2016
and WMP No.18626 of 2016

Thangadurai

...

Petitioner

Vs

- 1.The Registrar of Co-operative Societies,
NO.170 E.V.R. High Road
Chennai- 600 010.
2. The Joint Registrar of Co-operative Societies,
Villupuram.
3. The Managing Director,
Villupuram District Central Co-operative Bank,
Villupuram.
4. The Secretary,
Rishivanthiam primary Agricultural Co-operative Bank
Villupuram.
5. The District Manager,
Tamil Nadu Adi-Dravidar Housing and
Development Corporation , Villupuram
Villupuram District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus Directing the First Respondent to enquire and dispose of the petitioners representation dated 20.02.2016 and received on 22.02.2016 and order for the release of the loan amount of Rs.2,00,000/- to the petitioner.

For Petitioner : Mr.R.Balasubramanian

For R1 & R2 : Mr.V.Selvaraj
Addl. Govt. Pleader (Co.op)

For R3 & R4 : Mr.R.Bala Ramesh
For R5 : T.M. Pappiah Spl.G.P.

O R D E R

The petitioner is a carpenter by profession and applied for a loan of Rs.2,00,000/- for purchase of concrete mixture machine. The 5th respondent, Tamil Nadu Adi-Dravidar Housing and Development Corporation (TAHDCO), Villupuram, after holding an interview on 18.06.2013, selected the petitioner for grant of loan, by proceedings dated 07.08.2013. He had further recommended the loan application of the petitioner to the 4th respondent, viz Rishivanthiam primary Agricultural Co-operative Bank, Villupuram for follow up action who have also consented to grant the loan to the petitioner and requested the 5th respondent for release of the subsidy ordered in favour of the petitioner by letter dated 17.03.2014. The Corporation Bank, Villupuram have accordingly released the subsidy amount of Rs.60,000/- vide Demand Draft dated 01.09.2014. Thereafter, there was no response from the 4th respondent Co-operative Society in respect of the petitioner's loan application. Therefore, the petitioner sent representation to the District Collector, Villupuram seeking for his intervention on the lease of loan amount to the petitioner. As there was no response from the authorities, the petitioner approached the first respondent seeking appropriate direction to the 4th respondent, through communication dated 20.02.2016. Even thereafter, no action has been taken compelling the petitioner to approach this court by way of this writ petition.

2. Heard Mr.V.Selvaraj, learned Additional Government Pleader appearing for the first & second respondents, Mr.R.Bala Ramesh, learned standing counsel appearing for the third & fourth respondents and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the fifth respondent.

3. It is evident that the petitioner was already selected for loan by the TADHCO after conducting interview on 18.06.2013, by order dated 07.08.2013. Based on the recommendation of the 5th respondent, the 4th respondent had also consented for grant of loan and requested the 5th respondent to release the loan amount. The Corporation Bank, Villupuram also released the subsidy amount of Rs.60,000/- through Demand Draft dated 01.09.2014. Even after the said release of subsidy amount, nothing has been done to grant loan to the petitioner.

4. It is contended by Mr.R.Balasubramanian, learned counsel appearing for the petitioner that though the petitioner submitted guarantee, he is being compelled to give security only from his kith and kin and not from other persons. However, Mr.R.Bala Ramesh, learned Standing Counsel appearing for the third & fourth respondents would submit that no such compulsion has been made.

5. In view of the above said circumstances, this court directs the petitioner to first meet the Secretary of the 4th respondent viz. Rishivanthiam primary Agricultural Co-operative Bank, Villupuram and submit all the necessary documents within a period of ten (10) days from the date of receipt of copy of this order and on such receipt, the 4th respondent is directed to peruse the documents and if any documents are lacking, the same is required to be obtained by him from the petitioner, within one week thereafter and forward the proceedings to the 3rd respondent, viz. The Managing Director, Villupuram District Central Co-operative Bank, Villupuram. The 3rd respondent is directed to sanction the loan and disburse the same to the petitioner, within one week from the date of receipt of the proceedings from the 4th respondent.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected W.M.P. is closed.

7. Post the matter for compliance after eight (8) weeks.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

rgr

To

1.The Registrar of Co-operative Societies,
NO.170 E.V.R. High Road
Chennai- 600 010.

2. The Joint Registrar of Co-operative Societies,
Villupuram.

3. The Managing Director,
Villupuram District Central Co-operative Bank,
Villupuram.

4. The Secretary,
Rishivanthiam primary Agricultural Co-operative Bank
Villupuram.

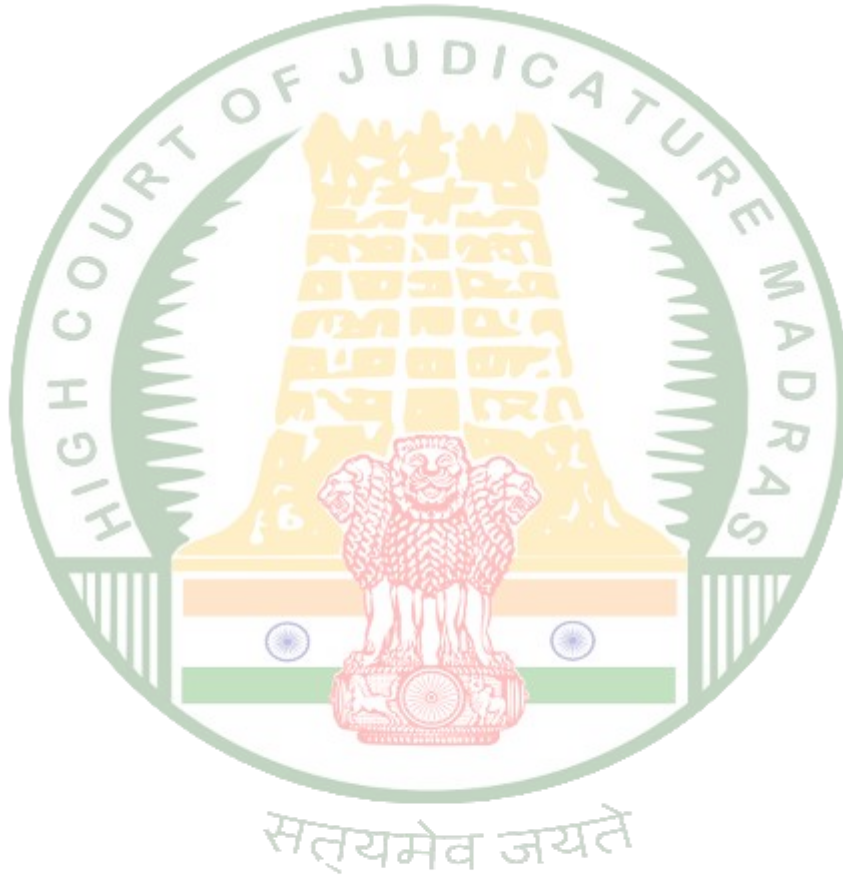
5. The District Manager,
Tamil Nadu Adi-Dravidar Housing and
Development Corporation , Villupuram
Villupuram District.

1 cc to Government Pleader, Sr. 65282

1 cc to M/s.R. Balasubramanian, Advocate, sr. 65011

W.P. No.21783 of 2016

SAI (CO)
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