

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P.No.18046 of 2010

K.Neelakandan

.. Petitioner

vs.

1.The District Collector,
Villupuram District,
Villupuram.

2. The Branch Manager,
Indian Bank, Olakkur Branch,
Gingee Taluk, Villupuram District.

3. The Grievances Redressal Officer/
The Assistant General Manager,
Indian Bank, Zonal Office,
No.10, Kamarajar Salai, Pondicherry.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a Writ of mandamus to direct the respondents, particularly the 2nd respondent to waive the Tractor loan under the agricultural debt waiver and debt relief scheme - 2008 by treating the petitioner as a small farmer by considering the petitioner's representation dated 26.07.2010.

For Petitioner : Mr.R.Thanjan

For Respondents : Mr.P.Sanjay Gandhi, AGP (for R1)
Mr.Kalayanaraman
(for M/S.Aiyar & Dolia for R2 & R3)

ORDER

The prayer in the Writ Petition is for the issuance of a Writ of Mandamus to direct the respondents, particularly the 2nd respondent, to waive the Tractor loan under the Agricultural Debt Waiver and Debt Relief Scheme, 2008, by treating the petitioner as a small farmer, by considering the petitioner's representation, dated 26.07.2010 and pass orders there on.

2. Heard both sides.

3. The learned counsel for the petitioner submitted that the petitioner has availed a Tractor loan in the year 2007 with the second respondent and now, applied for waiver of the said loan under the scheme called Agricultural Debt Waiver and Debt Relief Scheme, 2008. It is the submission of the learned counsel for the petitioner that the petitioner was entitled to get the said relief and in this regard, the petitioner has also made a representation dated 26.07.2010 to the respondents. He further submitted that, if a direction is given to the respondents to consider the claim of the petitioner made through his representation, dated 26.07.2010, and pass orders thereon, under the said scheme, as claimed by the petitioner, the petitioner would be satisfied.

4. Considering the submissions made by the learned counsel appearing for the petitioner, without going into the merits or otherwise of the case, this Writ Petition stands disposed of, with a direction to the 2nd and 3rd respondents to consider the representation, dated 26.07.2010, submitted by the petitioner, with regard to the waiver for tractor loan, under Agricultural Debt Waiver and Debt Relief Scheme, 2008, by treating the petitioner as eligible person to seek waiver and to pass orders, on merits and in accordance with law (of course, without being influenced by anything said in this order) and pass suitable orders thereon, within a period of eight weeks from the date of receipt of copy of this order.

5. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(J)

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सत्यमेव जयते
Sub Assistant Registrar

pvs

To

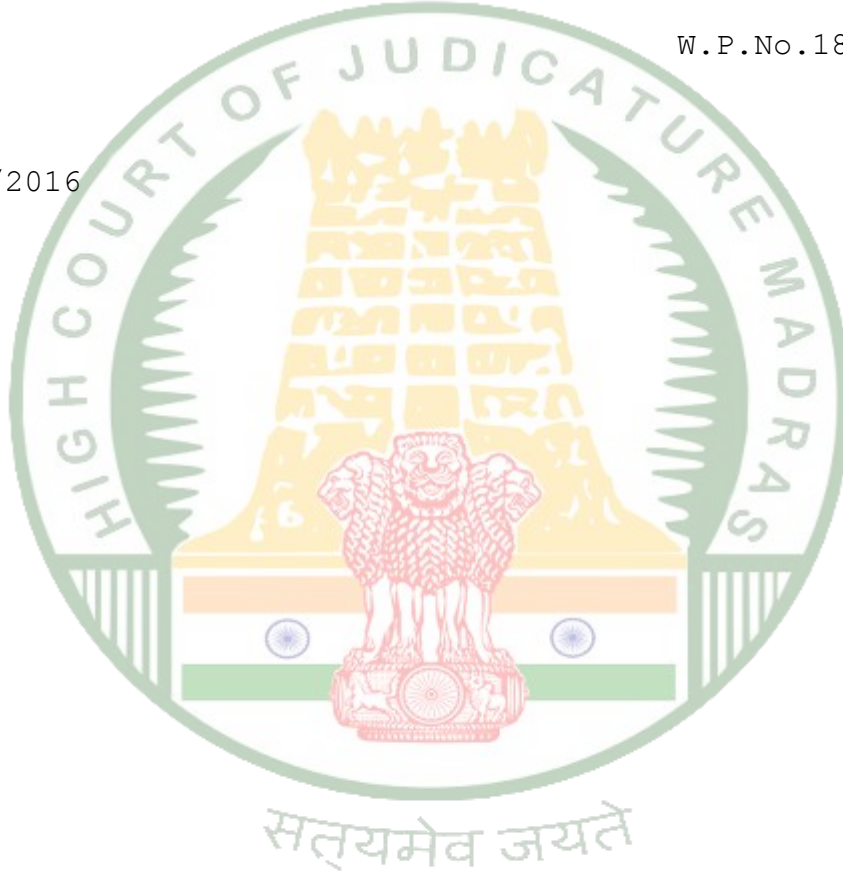
- 1.The District Collector,
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+1cc to M/S.R.Thanjan, Advocate Sr.65128
+1cc to M/S.Aiyar & Dolia, Advocate sr.65064
+1cc to the Government Pleader Sr.64969

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rp[co]
srg 16/12/2016



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