



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.12.2016

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THE HONOURABLE **MR. JUSTICE K.KALYANASUNDARAM**

W.P (MD) .No.25058 of 2016

and

W.M.P (MD) No.18135 of 2016

- 1.Thangasamy
- 2.Paulsamy
- 3.Mariappan
- 4.Muthulakshmi
- 5.Paramasivan
- 6.Mariappan
- 7.Selvakumar
- 8.Palammal

... Petitioners

Vs

- 1.The District Collector
Tirunelveli District.

- 2.The Joint Registrar,
Cooperative Societies,
Tirunelveli Region,
No.2, Sarvenga Street,
Palayamkottai,
Tirunelveli

- 3.The Managing Director,
O.965, Sankarankoil Agricultural Producers,
143A, Rajapalayam Road,
Sankarankoil,
Tirunelveli District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to receive respective loan amount and to return back the respective paddy bags forthwith.

For petitioner : Mr.T.A.Ebenezer

For respondents : Mr.C.Selvaraj

Spl. Govt. Pleader

The petitioner seeks for a direction to the respondents to receive respective loan amount and to return back the



respective paddy bags forthwith.

2. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, this Writ Petition itself is taken up for final disposal.

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3. The case of the petitioners that they are agriculturalists and they have mortgaged their paddy bags, which were reaped and harvested in the month of Thai and Masi, with the third respondent, while borrowing loan of Rs.3,00,000/- each. It is the further case of the petitioners that they received final notice, dated 09.12.2016, from the third respondent directing them to pay the loan amount along with the interests and other expenses, failing which, the paddy bags mortgaged would be auctioned. Therefore, the petitioners immediately approached the third respondent with the entire due to get back the paddy bags. But the third respondent has not accepted the same. Hence, the petitioners sent a representation to the respondents on 12.12.2016. Since no order has been passed, the petitioners have come before this Court with the relief as stated supra.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. Considering the case of the petitioners, the third respondent is directed to receive the loan amount from the petitioners as per representation and return the paddy bags forthwith.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Accounts)

/True copy/

Sub Assistant Registrar

To

1. The District Collector, Tirunelveli District.

2. The Joint Registrar, Cooperative Societies,
Tirunelveli Region, No.2, Sarvenga Street,
Palayankottai, Tirunelveli

3. The Managing Director,
O.965, Sankarankoil Agricultural Producers,
143A, Rajapalayam Road, Sankarankoil, Tirunelveli District.

+1 cc to M/s.R.M.Annamalai, Advocate in SR.No. 83712