

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 8954 of 2017

T.Kaliyamurthy

..Petitioner

Vs.

1. The Deputy Registrar of Cooperatives,
Ariyalur,
Ariyalur District- 602 174

2 The President
T.Pazhur Primary Agricultural Cooperative
Thrift Society, T.Pazhur, Jayamkondam Taluk,
Ariyalur District.

3 The Secretary
T.Pazhur Primary Agricultural Cooperative
Thrift Society, T.Pazhur, Jayamkondam Taluk,
Ariyalur District. .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to recommend the 2nd and 3rd respondents society to sanction the agricultural loan to the petitioner's agricultural lands situated at Kizhakudikadu, Thenkachi Perumal, Natham Panchayat, T.Pazhur Panchayat Union, Udayarpalayam Taluk, Ariyalur District.

For Petitioner : Mr. M.Saravana Kumar

For Respondents : Mr. V.Selvaraj, Addl.G.P.

O R D E R

Heard Mr. M.Saravana Kumar, learned counsel appearing for the petitioner and Mr. V.Selvaraj, learned Additional Government Pleader takes notice on behalf of the respondents.

2. The petitioner has come up with the present writ petition praying to direct the 1st respondent to recommend the 2nd and 3rd respondents society to sanction the agricultural loan to the petitioner's agricultural lands situated at Kizhakudikadu, Thenkachi Perumal, Natham Panchayat, T.Pazhur Panchayat Union, Udayarpalayam Taluk, Ariyalur District.

3. Learned counsel for the petitioner submitted that the petitioner is the member of the 2nd respondent Society and he had regularly paid the kist amount for his agricultural land situated at his native village. The petitioner applied for loan to the society, for the purpose, the respondents 2 and 3 Society had been directed to produce the A-Register, Chitta Adangal as well as patta with regard to his agricultural land, therefore the petitioner had produced all the above said documents along with kist receipts to the second respondent society to grant agricultural loan for his agricultural land. The first respondent had been instructed to the petitioner to get registration of A-Class Member at the second respondent society. Even though after getting the enrolment as A-Class Membership at the 2nd and 3rd respondents society, the second respondent society stating that the petitioner ration card is now at Chennai address, therefore the eligibility of getting agricultural loan had been declined by the second respondent society. Moreover, the Village Administrative Officer of the petitioner native village had been issued the Certificate of Nativity, therefore such certificate had handed over to the respondents society, but even though both the respondent had miserably failed to grant agricultural loan to the petitioner. So the petitioner made representation on 11.11.2016 to the respondents to seek the relief of sanctioning of agricultural loan to his agricultural land without insisting the ration card. Since no orders have been passed on the said representation, the petitioner has filed the present writ petition.

4. Learned Additional Government Pleader submitted that if the said application of the petitioner is in order, the same would be considered by the third respondent, in accordance with law.

5. Considering the facts and circumstances of the case, the third respondent is directed to consider the application of the petitioner dated 11.11.2016, on merits and in accordance with law, by giving reasonable opportunity of hearing to the parties concerned and pass orders as expeditiously as possible, not later than six weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish one more copy of the representation dated 11.11.2016, along with this order copy to the respondents.

6. The Writ Petition is disposed of on the above terms. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Deputy Registrar of Cooperatives,
Ariyalur, Ariyalur District- 602 174
- 2 The President
T.Pazhur Primary Agricultural Cooperative
Thrift Society, T.Pazhur, Jayamkondam Taluk,
Ariyalur District.
- 3 The Secretary
T.Pazhur Primary Agricultural Cooperative
Thrift Society, T.Pazhur, Jayamkondam Taluk,
Ariyalur District.

+1 CC to Govt. Pleader sr 23275

+1 CC to Mr. Saravana Kumar, Advocate sr 22513

W.P. No. 8954 of 2017

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