



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.19844 of 2017

S.Subramanian

.. Petitioner

Vs.

1. The Registrar of Co-op Societies,
Chennai - 600 007.
2. The Joint Registrar of Co-op Societies,
Theni Region,
Theni - 625 531.
3. The Deputy Registrar of Co-op Societies,
Periyakulam - 625 601.
4. The Liquidation Officer,
Theni Co-op Urban Bank Ltd.,
Theni.
5. D.D.200 Theni District Co-op Urban
Bank and other Co-op Employees Co-op
Thrift and Credit Society Ltd.,
By its Managing Director,
Periyakulam.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 5th respondent and others to reduce the rate of interest from 20.5% to 6% from 18.05.2004 for the loan outstanding payable by the petitioner as per the award dated 18.05.2004 by considering the representation of the petitioner dated 06.08.2014.

For Petitioner

: Mr.P.Subbaraj

For Respondents

: Mr.T.S.Mohamed Mohideen,
Additional Government Pleader
for R.1 to R.3

**ORDER**

By consent, this writ petition itself is taken up for final disposal at the stage of admission itself.

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2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, takes notice for the respondents 1 to 3. Notice to the respondents 4 & 5 is dispensed with, as no adverse order is going to be passed against them.

3. Alleging default in repaying the loan, a decree was passed on 18.05.2004, directing the petitioner to repay the loan with interest at the rate of 20.5%. Aggrieved over the same, the petitioner has approached the authorities, who in turn directed him to approach the fifth respondent, who is the competent authority and thereafter, the petitioner has submitted a representation dated 06.08.2014, before the fifth respondent, requesting waiver of interest and penal interest. As the said representation is kept pending, without any action, the petitioner is before this Court seeking the aforesaid prayer.

4. Though the prayer in this writ petition is for a larger relief, the learned counsel for the petitioner now confines his prayer to the effect that it would suffice, if his representation dated 06.08.2014, is disposed of, by the fifth respondent, as per law, within a stipulated time limit.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the fifth respondent to consider the representation of the petitioner dated 06.08.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Registrar of Co-op Societies,
Chennai - 600 007.



2. The Joint Registrar of Co-op Societies,
Theni Region,
Theni - 625 531.

3. The Deputy Registrar of Co-op Societies,
Periyakulam - 625 601.

4. The Managing Director,
D.D.200 Theni District Co-op Urban
Bank and other Co-op Employees Co-op
Thrift and Credit Society Ltd.,
Periyakulam.

+1cc to Mr.P.Subbaraj, Advocate Sr.No.84158
+1cc to The Spl.Government Pleader Sr.No.84555

GK

VB/JC/SAR1/10/11/2017/3P/7C

ORDER MADE IN
W.P(MD)No.19844 of 2017
30.10.2017