



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2017

CORAM:

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

W.P(MD)No.2817 of 2017

Vilvanathan

... Petitioner

Vs.

1. The Joint Registrar,
Tamil Nadu Co-operative Societies,
Thanjavur,
Thanjavur District.

2. The Secretary,
Z.822, Kalamparam Primary Agricultural
Co-Operative Debt Sangam,
Kovilachery Post,
Kumbakonam Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to recommend the petitioner and refund amount in view of the loan waiver scheme made in G.O.Ms.No. 59 Cooperation, Food and Consumer Production (CC1) department dated 28.06.2016 and further direct the 2nd respondent delete the name of the petitioner from the list of defaulters in Survey No. 188/1 and 188/1B, Puttur Village, Thiruvidaimaruthur Taluk, Thanjavur District to which the petitioner unconnected with.

For Petitioner	: Mr.G.Gomathi Sankar
For Respondent -1	: Mr.J.Gunaseelan Muthiah, Government Advocate
For Respondent -2	: Mr.M.Rajarajan

ORDER

This writ petition has been filed, seeking to direct the 2nd respondent to recommend the petitioner and refund the amount in view of the loan waiver scheme made in G.O.Ms.No. 59 Cooperation, Food and Consumer Production (CC1) department dated 28.06.2016 and further direct the 2nd respondent delete the name of the petitioner from the list of defaulters in Survey No. 188/1 and 188/1B, Puttur Village, Thiruvidaimaruthur Taluk, Thanjavur District to which the petitioner unconnected with.



2.Heard both sides.

3.The learned counsel for the petitioner would submit that the petitioner availed loan from the second respondent in the years 1990 and 1992 and according to him, he had to pay only Rs.33678/-. Later on, the petitioner approached the second respondent, requesting to waive his loan as per G.O.Ms.No.59 Cooperation, Food and Consumer Production (CC1) department dated 28.06.2016, but, his claim was rejected, as he was not entitled for waiver and further directed him to pay a sum of Rs.73,000/-. Aggrieved over which, the petitioner is before this Court, seeking appropriate direction to the respondents, in respect of his claim.

5.The learned counsel appearing for the second respondent, submitted that if the petitioner approaches afresh along with necessary documents in support of his claim, the same would be looked into, on merits.

6.Considering the limited scope of the relief sought for, in this writ petition, this Court, without going into the merits of the claim, directs the petitioner to submit a fresh representation along with all necessary documents in support of his claim, to the second respondent within a period of two weeks from the date of receipt of a copy of this order and upon such submission of the representation the second respondent is directed to consider the same and pass appropriate orders, on merits 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 six weeks therefrom.

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

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
The Joint Registrar,
Tamil Nadu Co-operative Societies,
Thanjavur, Thanjavur District.

+1cc to Mr.G.Gomathi Sankar, Advocate Sr.No.89143

DSK

VB/MR/KKR/SAR4/08/12/2017/2P/3C