

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 24.05.2017

CORAM:

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THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN
W.P. (MD)No.9935 of 2017
and
W.MP (MD) .No.7610 of 2017

I.M.Humayun Kabir

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep by its Principal Secretary,
Co-operation, Food and Consumer
Protection Department,
Fort St.George, Secretariat,
Chennai-600 009.
- 2.The Registrar of Co-operative Societies,
Kilpauk,
Chennai-600 010.
- 3.The Joint Registrar of Co-operative Societies,
Theni Region,
Theni.
- 4.The Deputy Registrar of Co-operative Societies,
Periyakulam,
Theni District.
- 5.D.D.124, Genguvarpatti Primary
Agricultural Co-operative Credit Society,
Rep by its Secretary,
Genguvarpatti-625 203,
Theni District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondents 2 to 5 to waive the entire agricultural loan amount of Rs.92,000/- availed by the petitioner from the 5th respondent society in Loan No.JL AGRI-241, dated 23.11.2015 and the Self Help Group agricultural loan amount of Rs.42,000/- availed by the petitioner in Group NO.8, Member No.126 along with interest and penal interest as per the G.O.Ms.No.59, dated 28.06.2016 issued by the first respondent and consequently return the jewels pledged by the petitioner within a time frame that may be fixed by this Hon'ble



Court by considering the petitioner's representation dated 22.03.2017.

For Petitioner : Mr.R.Subramanian
For Respondents : Mr.T.R.Janarthanan,
Additional Government Pleader

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O R D E R

The petitioner seeks for a Writ of Mandamus to issue a writ of mandamus, to direct the respondents 2 to 5 to waive the entire agricultural loan amount of Rs.92,000/- availed by the petitioner from the 5th respondent society in Loan No.JL AGRI-241, dated 23.11.2015 and the Self Help Group agricultural loan amount of Rs.42,000/- availed by the petitioner in Group No.8, Member No.126 along with interest and penal interest as per the G.O.Ms.No.59, dated 28.06.2016 issued by the first respondent and consequently return the jewels pledged by the petitioner within a time frame that may be fixed by this Hon'ble Court by considering the petitioner's representation dated 22.03.2017.

2. The learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3. The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner is directed to be disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

4. In view of the limited scope of the prayer, without going into the merits of the matter, the respondents 2 to 5 are directed to consider the petitioner's representation dated 22.03.2017 for waiving of loans availed by the petitioner, on merits and in accordance with law after providing an opportunity of personal hearing to the petitioner as well as the other parties concerned, if any, and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar



Rep by its Principal Secretary,
Co-operation, Food and Consumer
Protection Department,
Fort St.George, Secretariat,
Chennai-600 009.

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Theni Region,
Theni.
- 4.The Deputy Registrar of Co-operative Societies,
Periyakulam,
Theni District.
- 5.D.D.124, The Secretary Genguvarpatti Primary
Agricultural Co-operative Credit Society,
Genguvarpatti-625 203,
Theni District.

+1cc to M/S. R.SUBRAMANIAN, Advocate, SR.No.57488.

+1cc to Special Government Pleader, SR.No.57859.

W.P. (MD) No.9935 of 2017
25.05.2017

SDS/SV/SAR 1/02.06.2017/3P/8C