



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2017

CORAM :

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.24807 of 2016

S.Udaiyappan

... Petitioner

-vs-

1. THE JOINT RETISTRAR OF CO-OPERATIVE SOCIETIES,
KANAGA APARTMENTS,
LADY DOAK COLLEGE ROAD,
CHINNA CHOKKIKULAM,
NEAR JAYARAJ THEATER,
MADURAI-2.

2. THE DISTRICT BACKWARD CLASSES
AND MINORITY WELFARE OFFICER,
MADURAI DIST., COLLECTORATE BUILDING,
MADURAI.

3. MD SPL.2 CHITTULOTTI PRIMARY
AGRICULTURAL CO-OPERATIVE CREDIT SOCIETY,
REP. BY THE SECRETARY/PRESIDENT MOTHAGAM,
SUBBULAPURAM VILLAGE, PERAYUR TALUK,
MADURAI DIST.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the 3rd respondent to grant loan to the tune of Rs.1 00 000/- to the petitioner as per recommendation of the 2nd respondent vide proceedings in Na.Ka. No. P. Na.5/46156/2013 dated 26.12.2014.

For Petitioner : Mr.R.Gowrishankar

For R1 & R2 : Mr.M.Rajarajan
Govt. Advocate

O R D E R

The petitioner has come forward with this petition, seeking to direct the 3rd respondent to grant loan to the tune of Rs.1,00,000/- to the petitioner as per recommendation of the 2nd respondent vide proceedings in Na.Ka. No. P. Na.5/46156/2013 dated 26.12.2014.



2. The case of the petitioner is that he belongs to Backward Class community and has been running a Typing and Xerox shop for his livelihood; that he obtained a mortgage loan to the tune of Rs.90,000/- from the 3rd respondent society by pledging his father's property and repaid the same; even after payment, the mortgage is shown to be in force; that in the meantime, the petitioner again applied for a loan for a sum of Rs.1,00,000/- to the 2nd respondent, who, in turn sent a letter to the 1st respondent, recommending to grant loan to him; that subsequently, the 1st respondent also forwarded the same to the 3rd respondent, which is pending with the 3rd respondent without disbursement of the loan.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 & 2, who would submit that the petitioner has made a representation dated 26.12.2014 to the 2nd respondent requesting for loan, apart from causing Lawyer's notice and that the request of the petitioner is still pending and final orders to be passed thereon.

4. Taking note of the fact that the request of the petitioner is pending for more than two years, this Court, without expressing any opinion on the merits of the matter, directs the 3rd respondent to consider the request of the petitioner and to pass appropriate orders on the basis of the recommendation of the 2nd respondent dated 26.12.2014 on merits and in accordance with law within a period of one month from the date of receipt of a copy of this order, if there is no other legal impediment.

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

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To:

1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
KANAGA APARTMENTS,
LADY DOAK COLLEGE ROAD,
CHINNA GHOKKIKULAM,
NEAR JAYARAJ THEATER,
MADURAI-2.



2. THE DISTRICT BACKWARD CLASSES
AND MINORITY WELFARE OFFICER,
MADURAI DIST., COLLECTORATE BUILDING,
MADURAI.

WEB COPY

3. THE SECRETARY/PRESIDENT,
MD SPL.2 CHITTULOTTI PRIMARY
AGRICULTURAL CO-OPERATIVE CREDIT SOCIETY,
SUBBULAPURAM VILLAGE, PERAYUR TALUK,
MADURAI DIST.

+1 CC to M/s.R.GOWRISHANKAR, Advocate, SR No. 1060

AR

PSM/PM-PN/01.02.2017/3P/5C

W.P. (MD) No.24807 of 2016
04.01.2017