



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 05.03.2018

Coram

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD)No.6145 of 2013
and
M.P (MD).No.1 of 2013

A.Solaiappan

.. Petitioner

-Vs-

1.The Union of India,
rep. by its Secretary to Government,
Ministry of Finance,
Room No.134, North Block,
New Delhi - 110 001.

2.The Branch Manager,
State Bank of India,
SME Tuticorin Branch,
306, Beach Road,
Tuticorin - 628 001.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 2nd respondent in connection with the impugned notice issued by him in No.Nil dated 12.02.2013 and quash the same and consequently direct the 2nd respondent to extend the benefit granted in Agriculture Debt Waiver and Debt Relief Scheme 2008 dated 23.05.2008 to the petitioner.

For petitioner	: Mr.G.Thalaimutharasu for Mr.K.Gurunathan
For Respondent 1	: No Appearance
For Respondent 2	: Mr.Ananth C.Rajesh

O R D E R

This Writ petition has been filed seeking direction to 2nd respondent to waive the loan availed by the petitioner, under the Agriculture Debt Waiver and Debt Relief Scheme 2008, dated 23.05.2008 by the 1st respondent.

2.According to the petitioner, he is an agriculturist having small extent of land and eking out his livelihood from the meagre income derived from the agriculture. Earlier, the petitioner approached the 2nd respondent for sanctioning loan for purchasing tractor and trailer and after satisfying the eligibility conditions, the loan was sanctioned in the year 2006. Due to severe drought, the first respondent has announced Agriculture Debt Waiver and Debt Relief Scheme 2008, dated 23.05.2008, to give reliefs to agriculturists who have affected by the drought. According to the



petitioners he is entitled to get the relief under the said scheme, hence he gave a representation to the 2nd respondent to get benefit under the said scheme. Since no order has been passed so far, the present writ petition has been filed.

3. Considering the facts and circumstances, the petitioner is only seeking relief under the Agriculture Debt Waiver and Debt Relief Scheme 2008, dated 23.05.2008, without going into the merits whether the petitioner is entitled to the said scheme, this Court is of the view that it would suffice to direct the 2nd respondent to consider the application filed by the petitioner and pass suitable orders on merits within a period of six weeks from the date of receipt of the copy of this order.

4. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CSIII)

/True Copy/

Sub-Assistant Registrar

To

The Secretary to Government,
The Union of India
Ministry of Finance,
Room No.134, North Block,
New Delhi - 110 001.

+One cc to Mr.G.Thalaimutharasu, Advocate, SR.No.53532

TM
RL/3C/2P/SV/MMS/SAR2/26/3/2018

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