

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.13891 of 2009

ORDER:

The petitioner seeks Writ of Certiorari calling for records relating to the notice issued by the 1st respondent dated 13.06.2009 in respect of A/c.No.706047845 and quash the said notice.

2) Petitioner's case is that she owns Ac.3.53 cts. of dry land in Sy.No.412 of Purushotapatnam Village, Chilakaluripeta Mandal, Guntur District and she obtained agricultural loan on 27.05.2006 for Rs.17,000/- from the 1st respondent vide A/c.No.706047845, L.F.No.790. While so, the Government of India had issued instructions to the banks to waive the agricultural loans taken by the small farmers upto 31.03.2007 under Agricultural Waiver and Loan Concession Scheme, 2008. The loan taken by the petitioner was waived and certificate of loan waiver was also given on 29.07.2008, but the 1st respondent has not waived the agricultural loan of Rs.17,000/- taken by the petitioner by keeping gold as security with the 1st respondent—bank on 27.05.2006. Petitioner's further case is that inspite of representations made by her the said loan was not waived. Thereafter, the 1st respondent issued impugned notice dated 13.06.2009, directing the petitioner to pay the loan amount of Rs.23,815/- in respect of loan Account No.706047845 in default, the gold which was kept as security will be put in public auction. The petitioner deserves waiver of the loan as she is a lady and small farmer.

Hence, the writ petition.

3) When the matter came up for hearing, learned counsel for respondents Sri Ambadipudi Satyanrayana, produced a copy of the letter dated 13.08.2009 addressed to him by the respondent—bank wherein it is stated that waiver benefit was extended to the petitioner on 28.07.2009 and jewels pledged by her were also delivered and she has given a letter regarding receipt of jewels and withdrawal of all further proceedings in the matter. Producing the aforesaid letter, learned counsel would submit that cause in the writ petition does not survive for adjudication and hence the same may be dismissed.

4) Learned counsel for petitioner present and not controverted the contents of the letter.

5) Therefore, the Writ Petition is dismissed as infructuous. No costs.

Dt: 04.10.2018
Murthy

U.DURGA PRASAD RAO, J