

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.7422 of 2019

S.Govindaraju

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Petitioner

Vs.

1. The Deputy Registrar of
Co-operative Societies,
Dharapuram Division,
Dharapuram,
Tiruppur District.

2. K.1316, Muthur Primary Agricultural
Co-operative Credit Society Limited,
Muthur,
Tiruppur District.

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Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's application for crop loan, dated 29.06.2018 and to provide crop loan in accordance with law.

For Petitioner : Mr.M.R.Thangavel

For Respondents : Mr.D.Venkatachalam
Government Advocate

O R D E R

Mr.D.Venkatachalam, learned Government Advocate takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal.

2. The petitioner has come forward with this Writ Petition for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's application dated 29.06.2018 and to provide crop loan in accordance with law.

3. According to the petitioner, his family members are doing agricultural work and they were affected by the monsoon failure

for the past 5 years. Hence, he applied for issuance of crop loan from the second respondent 22.05.2014 along with the "No Due Certificate" issued by the local banks as required by the second respondent. Since the same was not considered, the petitioner approached the first respondent on 14.03.2018, seeking appropriate action and to grant crop loan to him. The first respondent, vide communication dated 29.06.2018, directed the petitioner to approach the second respondent and the petitioner also approached the second respondent, on the same date, viz., 29.06.2018, and made an application along with necessary documents. However, till date, there was no response, hence, the present Writ Petition.

4. The learned Government Advocate appearing for the respondents by relying upon the decision of this Court in CDJ 2006 MCH 1221 [K.Marappan vs. The Deputy Registrar of Co-operative Societies & Another] would submit that the Writ Petition is not maintainable as against a Co-operative Society.

5. In view of the above, the Writ Petition is dismissed granting liberty to the petitioner to work out his remedy in the manner known to law. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The Deputy Registrar of
Co-operative Societies,
Dharapuram Division,
Dharampuram,
Tiruppur District.

2.K.1316, Muthur Primary Agricultural
Co-operative Credit Society Limited,
Muthur,
Tiruppur District.

+1 cc to Mr.D.Venkatachalam, Advocate, S.R.No.25299
+1 cc to Mr.C.Anbu, Advocate, S.R.No.25983

W.P.No.7422 of 2019

MG(CO)
SSM(15/04/2019).