



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.22168 of 2019

Dharmaraj

... Petitioner

vs.

1.The Secretary,
Government of Tamil Nadu
Department of Co-operative, Food and
Consumer Protection (CC1)
Secretariat, Chennai.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.The Secretary
Z-809 Ganapathi Agraharam,
Primary Agricultural Co-operative
Credit Society Limited,
Papanasam Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to waive the schedule agriculture Jewel Loan and Crops Loan in View of G.O.No.59 dt.28/06/2016 of 1st respondent and to return the jewel pledged by petitioner by considering his representation dt.23.09.2019.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mrs.J.Padmavathy Devi

Special Govt. Pleader for RR-1 & 2

Mr.V.Anand for R-3

O R D E R

Mrs.J.Padmavathy Devi, learned Special Government Pleader, takes notice on behalf of the respondents 1 & 2. Mr.V.Anand, learned counsel takes notice for respondent No.3.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.This writ petition has been filed, directing the respondents to waive the schedule agriculture Jewel Loan and Crops Loan, in view of G.O.No.59 , dated 28.06.2016 of 1st respondent and to return the jewel pledged by petitioner by considering his representation dt.23.09.2019.



4.The petitioner is small farmer. The Government has issued an Order vide G.O.Ms.No.59, Co-operation, Food and Consumer Protection (CC1) Department dated 28.06.2016, by which guidelines were issued for waiving the loan obtained by the small and small Marginal Farmers. According to the petitioner, he owns 1 acre of land and through lease, he owns 1.75 acres of land and he is cultivating the same. He has suffered a loss in agriculture. Hence, he sought for waiver of loan. Even though he has sent a representation to the respondents on 23.09.2019, the same has not been considered and waiver has not been granted to him. Aggrieved over the same, he has approached this court by way of this writ petition.

5.Considering the facts and circumstances the case, the third respondent is directed to verify the loans secured by the petitioner and the statement made by him and pass orders on the representation dated 23.09.2019 within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

VS

To:

1.The Secretary,
Government of Tamil Nadu
Department of Co-operative, Food and
Consumer Protection (CC1)
Secretariat, Chennai.

2.The District Collector,
Thanjavur District,
Thanjavur.

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate (SR-93332[F] dated 21/10/2019)

+1 CC to M/s.GP (SR-94063[F] dated 23/10/2019)

W.P. (MD) No.22168 of 2019

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