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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.14736 of 2017 &
WMP No.15968 & 15969 of 2017

K.Kothandaraman Pillai

..Petitioner

Vs.

- 1.The District Collector,
Kancheepuram District, Kancheepuram
- 2.The Joint Director,
Department of Agriculture, Kancheepuram
- 3.The Special Tahsildar,
District Backward and Minority Welfare Department,
Kancheepuram
- 4.The Registrar of Co-Operative Societies,
Co-Operative Department, Chennai-600 031
- 5.The Joint Registrar of Co-Operative Societies,
Co-Operative Department,
Kancheepuram Zone, Kancheepuram
- 6.The Secretary,
Kayirampedu Urban Co-Operative Credit Society Limited,
162, GST Road,
Guduvanchary-603 202

..Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Certiorarified mandamus to call for all the records pertaining to letter No.Na.Ka.18248/2015/W7 dated 12.11.2015 and quash the same as unlawful and illegal and thereby directing the third and sixth respondents to release the eligible subsidy amount to the petitioner.

For Petitioner .. Mr.M.G.Ramanathan

For Respondents .. Mr.R.S.Selvam,

Government Advocate for RR1 to 3

.. Mr.L.P.Shanmugasundaram,

Special Government Pleader
for RR4 to 6



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ORDER

The learned counsel appearing for the petitioner seeks permission of this Court to withdraw this writ petition and also made an endorsement in the petition to that effect.

2. In the light of the submission and endorsement made by the learned counsel appearing for the petitioner, the writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (C.S.VI)

For Being Mentioned

This case having been posted on Thursday, the Thirteenth day of February Two Thousand Twenty under the Caption "For Being Mentioned" in pursuance of the order of this Court dated 09/01/2020 and made herein in the presence of above said Advocates, this Court made the following order :-

The matter is listed under the caption "for being mentioned" today.

2. Learned counsel for the petitioner submitted that while making endorsement for withdrawal of the petition, he sought for liberty to submit fresh application. By oversight, the said fact has not been recorded in the order passed on 09.01.2020.

3. In view of the above, the order dated 09.01.2020 is recalled and the following order is passed:

" This Writ Petition has been filed, praying for issuance of a Writ of Certiorarified mandamus to call for all the records pertaining to letter No.Na.Ka.18248/2015/W7 dated 12.11.2015 and quash the same as unlawful and illegal and thereby directing the third and sixth respondents to release the eligible subsidy amount to the petitioner.

2. When this Writ Petition is taken up for hearing, the learned counsel for the petitioner seeks permission to withdraw the Writ Petition with liberty to the petitioner's son, named K.Srinivasan, to submit a fresh application under the loan cum subsidy scheme for digging of a deep bore well in the agricultural land comprised in S.No.294/1A at Kayirampedu Village.



Admittedly, only persons below the age of 60 years are eligible for loan cum subsidy under the aforesaid scheme.

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3. The petitioner being a senior citizen and aged above 60 years is not eligible for loan cum subsidy under the aforesaid scheme. However, the learned counsel for the petitioner submits that petitioner's son is aged below 60 years is eligible for loan cum subsidy under the aforesaid scheme. The learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition and seeks liberty of this Court to permit the petitioner's son K.Srinivasan to submit a fresh application for loan cum subsidy under the aforesaid scheme. The learned counsel for the petitioner has also made an endorsement to that effect in the court bundle.

4. Recording the submission made by the learned counsel for the petitioner and the endorsement made by him in the Court bundle, this Court permits the petitioner to withdraw this Writ Petition and grants liberty to the petitioner's son named K.Srinivasan to submit a fresh application to the third respondent for loan cum subsidy under the aforementioned Scheme and the third respondent shall consider the same on merits and in accordance with law and pass appropriate orders within six weeks from the date of receipt of the fresh application from the petitioner's son, K.Srinivasan for grant of loan cum subsidy. No costs. Consequently, connected miscellaneous petitions are closed."

Sd/-

Assistant Registrar(C.S.VI)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Kancheepuram District,
Kancheepuram
- 2.The Joint Director,
Department of Agriculture,
Kancheepuram



3.The Special Tahsildar,
District Backward and Minority Welfare Department,
Kancheepuram

4.The Registrar of Co-Operative Societies,
Co-Operative Department,
Chennai-600 031

5.The Joint Registrar of Co-Operative Societies,
Co-Operative Department,
Kancheepuram Zone,
Kancheepuram

6.The Secretary,
Kayirampedu Urban Co-Operative Credit Society Limited,
162, GST Road,
Guduvanchary-603 202

+1 cc to M/s.L.P.Shanmugasundaram,Advocate Sr.No. 13141
+1 cc to M/s.P.Veeraraghavan, Advocate Sr.No. 12294
+1 cc to The Government Pleader Sr.No. 13070

AKM/19.03.2020/4P-10C /

W.P.No.14736 of 2017