



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.3106 of 2017

S.Neelakandan

... Petitioner

Vs.

1.The Joint Registrar of Co-operative Societies,
Thanjavur Region, Thanjavur.

2.The Assistant Registrar of Co-operative Societies,
Pattukkottai, Thanjavur District.

3.The Primary Agricultural
Co-operative Society (T 1472)
Rettavayal, Peravoorani Taluk,
Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings in Na.ka.No.5729/2016 Tho.Ve.Ku.Ka.Sa. Dated 19.09.2016 on the file of the first respondent herein confirming the orders passed in proceedings in Na.Ka.1852/2016 Ku.V.Ka. dated 09.09.2016 on the file of the second respondent and quash the same and consequently directing the respondents to provide the benefits of the G.O. (Ms)No.59 Co-operation, Food and Consumer Protection (CC1) Department, dated 28.06.2016 of the Government.

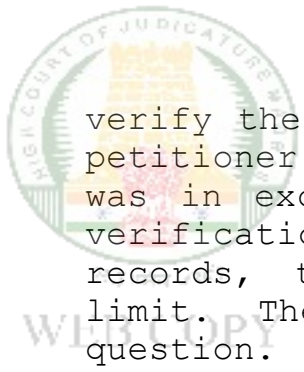
For Petitioner	: Mr.V.Ramamurthy
For Respondents	: Mr.S.Angappan, Government Advocate

O R D E R

Heard the learned counsel for the Writ Petitioner and the learned Government Advocate for the respondents.

2.The petitioner had availed loan from the third respondent Society in the year 2015. The petitioner states that the loan was to the tune of Rs.1,02,590/-. The petitioner claimed the benefit of the loan waiver scheme introduced by the Government vide G.O.Ms.No.59 Co-operation, Food and Consumer Protection (CC1) Department dated 28.06.2016. The petitioner's request was rejected on the ground that some tampering was done in the records furnished by the petitioner. The rejection order dated 09.09.2016 is put to challenge in this Writ Petition.

<https://hcservices.ecourts.gov.in> 3. This Court called upon the respondents to carefully



verify the revenue records and make a statement as to whether the petitioner's land holding was within in the ceiling limit or it was in excess of the ceiling limit on the cut off date. After verification, a statement is made today that as per revenue records, the petitioner's land holding is within the ceiling limit. Therefore, the petitioner's entitlement cannot be in question.

4.In this view of the matter, the impugned order is quashed. This Writ Petition is allowed. The respondents are directed to extend the benefit of the loan waiver scheme to the petitioner. No costs.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar (CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Joint Registrar of Co-operative Societies,
Thanjavur Region, Thanjavur.
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+1 CC to SGP (SR-15963[F] dated 04/09/2020)

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