



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.09.2020
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.4207 of 2017
and
W.M.P. (MD)No.3355 of 2017

WEB COPY

Panchatsaram

... Petitioner

Vs.

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

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

3.The President,
T-1030, Thamarankottai Primary Agricultural
Co-operative Society,
Thamarankottai, Pattukkottai 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 of the first respondent herein in pursuant to the impugned order in Na.Ka.No.5729/2016/தொ.வே.க.க.ச. Dated 19.09.2016 confirming the impugned order of the second respondent in Na.Ka.No.1852/2016/குவி.க. dated 10.09.2016 and quash the same and directing the respondents to include the petitioner's name in the waiver of Crop Loan Outstanding List as per G.O.(Ms) No. 59 dated 28.06.2016.

For Petitioner : Mr.S.Deenadhayalan
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. 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 by the impugned order dated 10.09.2016, the same is put to challenge in this Writ Petition.



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 is within 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 the revenue records, petitioner's land holding is within the ceiling limit. Therefore, the petitioner's entitlement cannot be in doubt. In this view of the matter, the impugned order is set aside. The respondents are directed to extend the benefit of the petition mentioned loan waiver scheme to the petitioner.

4. This Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

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/ /2020

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, Medical College Road,
Thanjavur.

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

3.The President,
T-1030, Thamarankottai Primary Agricultural
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Thanjavur District.

+1 CC to SPL GP (SR-15950[F] dated 04/09/2020)

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W.M.P.(MD)No.3355 of 2017
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