

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.02.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.NO.2554 OF 2021

Gunasekar

...Petitioner

vs.

1.The Joint Registrar,  
Co-operative Societies,  
Salem.

2.The President,  
Sellyampalayam Agricultural Co-operative  
Credit Society,  
Sellyampalayam Post,  
Attur Taluk,  
Salem District

...Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the first respondent to conduct the enquiry under the Section 81 of the Tamil Nadu Co-operative Societies Act 1983 regarding the functioning of the 2<sup>nd</sup> respondent society and also to sanction the crop loan for the petitioner as per the Rules.

For Petitioner : Mr.S.Muthukrishnan

For Respondent 1 : Mr.L.P.Shanmugasundaram  
Special Government Pleader

सत्यमेव जयते

O R D E R

This writ petition is filed for a Mandamus to direct the first respondent to conduct an enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983 regarding functioning of the 2<sup>nd</sup> respondent Society and also to sanction crop loan for the petitioner as per Rules.

2. Mr.L.P.Shanmugasundaram, learned Special Government Pleader takes notice for the respondents.

3. The grievance of the petitioner is that the 2<sup>nd</sup> respondent is acting in an arbitrary manner in the affairs of Selliampalayam Agricultural Co-operative Credit Society and though the petitioner has filed an application for availing crop loan, his application has not been considered without any valid reason.

4. According to the learned counsel for the petitioner, he has also submitted all relevant documents in support of the loan application but at the instance of the 2<sup>nd</sup> respondent, the crop loan has not been sanctioned to the petitioner. He would further submit that under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983, certain conditions have been prescribed and it also contemplates for conduct of enquiry, if necessity arises.

5. Considering the facts and circumstances of the case, this Court is of the view that there is no ground made out by the petitioner for issuance of Mandamus directing the respondent to contemplate enquiry under Section 81 of the Tamil Nadu Co-operative Societies Act, 1983. Therefore, this Writ Petition is dismissed, however, with liberty to the petitioner to approach the Secretary, Selliampalayam Agricultural Co-operative Credit Society, Attur Taluk, Salem District, with a fresh loan application along with required documents within a period of 10 days from the date of receipt of a copy of this order. If such application is filed, the said Secretary shall take a decision on the eligibility of the petitioner's loan application within a period of three weeks thereafter and intimate the decision taken to the petitioner in writing. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Joint Registrar,  
Co-operative Societies,  
Salem.

2.The President,  
Sellyampalayam Agricultural Co-operative  
Credit Society,  
Sellyampalayam Post,  
Attur Taluk,  
Salem District

W.P.No.2554 of 2021

SR I(CO)  
KKV/01/03/2021



WEB COPY