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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.876 of 2018
and
W.P.No.1052 of 2018

K.Mariyappan

..Petitioner

.Vs.

1. The Secretary to Government,
Co-op., Food & Consumer Protection Dept.,
Fort St.George,
Chennai 600 009.
2. The Registrar of Co-op. Societies,
NVN Maligai, Kilpauk,
Chennai-10.
3. The Joint Registrar of Co-op. Societies,
Krishnagiri Region
Krishnagiri District.
4. The Managing Director/Joint Registrar
TamilNadu State Apex Co-op.Bank Ltd.
NSC Bose Road, Chennai 600 001
5. The Managing Director/Joint Registrar
Dharmapuri Dist Central Co-op Bank Ltd.
Nethaji By pass Road, Salem Main Road,
Dharmapuri 636 701
6. The Management of S.8986,
Anchetty Primary Agricultural



Co-op Credit Society, Anchetty,
Denkanikottai Taluk
Krishnagiri Dist 635 102.

..Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents No.1 to 5 sanction the entire pending short term rural co-operative credit structure amount to the 6th respondent society.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.A.Selvendran
Government Advocate
for R 1 to R 3

Mr.L.P.Shanmugasundaram
for R 4 to R 6

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus, directing the respondents to sanction short term rural co-operative credit to the 6th respondent Society in order to enable the 6th respondent to disburse the loans to the farmers who are the members of the 6th respondent Society.

2.Heard Mr.T.Sundaravadanam, learned counsel for the petitioner and Mr.A.Selvendram, learned Government Advocate for respondents 1 to 3 and Mr.L.P.Shanmugasundaram, learned counsel appearing on behalf of the respondents 4 to 6.

3.The 5th respondent has filed a counter affidavit. The 5th respondent has questioned the locus standi of the petitioner and a specific stand has been taken to the effect that sanction of financial assistance to the agricultural credit societies under the scheme of short term rural credit structure for the agricultural development under the control of the Government of India, will be extended only upon the Society fulfilling the



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norms and the terms and conditions under the scheme. It is further contented that the petitioner cannot approach this Court and seek for a general direction and more particularly when the 6th respondent has not approached this Court seeking for this relief. The 5th respondent has also explained in the counter affidavit with regard to the scope of the entire scheme and the manner in which the financial assistance is extended to the Societies. The 5th respondent has specifically stated in the counter that the 6th respondent Society has failed to collect 30% of the loan amount and that is the reason why there is a backlog in the release of the assistance.

4. In the considered view of this Court, the 5th respondent has sufficiently explained the Scheme and also the reason why the balance loan was not extended to the 6th respondent Society. In any case, the 6th respondent Society is not before this Court and this writ petition is more in the nature of a public litigation.

5. In view of the above, the relief as sought for in this writ petition cannot be granted by this Court and this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

kp

To

1. The Secretary to Government,
Co-op., Food & Consumer Protection Dept.,
Fort St. George,
Chennai 600 009.
2. The Registrar of Co-op. Societies,
NVN Maligai, Kilpauk,
Chennai-10.



3. The Joint Registrar of Co-op. Societies,
Krishnagiri Region
Krishnagiri District.

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4. The Managing Director/Joint Registrar
TamilNadu State Apex Co-op.Bank Ltd.
NSC Bose Road, Chennai 600 001
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Dharmapuri Dist Central Co-op Bank Ltd.
Nethaji By pass Road, Salem Main Road,
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6. The Management of S.8986,
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Co-op Credit Society, Anchetty,
Denkanikottai Taluk
Krishnagiri Dist 635 102.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.40005

+1cc to the Government Pleader, S.R.No.40668

W.P.No.876 of 2018

CA(CO)
RLP(14/09/2021)