

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.04.2021

Coram

The Honourable Mr.Justice D.KRISHNAKUMAR

W.P.No.26658 of 2017

Mr.Venkatesan

...Petitioner

Versus

1.The District Collector,
Collectorate Office,
Sathuvacherry, Vellore District.

2.The Deputy Registrar,
Co-operative Society,
Ranipet, Vellore District.

3.Mr.Karunakaran,
Secretary,
Primary Agricultural Co-operative Credit Society,
Ladavaram Village,
Arcot Talu, Vellore District.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider petitioner's representation dated 17.12.2012 requesting to release the balance agricultural loan funds lying in the credit of petitioner's account in Kisan Credit Card No.101 and consequently, direct the first respondent to take appropriate action as against the errant official, the third respondent herein for siphoning the loan funds of the petitioner.

For Petitioner : Mr.D.Thirumoorthy

For Respondent - 1 : Mr.D.Suryanarayanan,
Government Advocate

Respondent - 2 : Mr.L.P.Shanmugasundaram,
Special Government Pleader

Respondent - 3 : Mrs.T.P.Savitha

O R D E R

With the consent on both sides, this Writ Petition is taken up for final disposal.

2. The case of the petitioner is that he is a farmer residing in Mankadu Village, Arcot Taluk, Vellore District. He was issued with Kisan Credit Card through which he have the benefit of availing agricultural loans. In the year 2011, the petitioner had availed agricultural loan to a tune of Rs.1,27,000/- for sugarcane plantation and the same was issued under the aforesaid Kisan Credit Card scheme by the Primary Agriculture Co-operative Credit Society. From the aforesaid loan amount, a sum of Rs.95,269/- was issued to the petitioner based on the agricultural materials such as seeds, fertilizers, pesticides, etc., and the remaining amount is still lying in his loan account. The petitioner approached the third respondent to hand over the remaining loan amount, however, the third respondent refused to hand over the same to him. Hence, the aggrieved petitioner made a representation dated 17.12.2012 requesting the first respondent to direct the third respondent to release his remaining loan amount.

2.1. The first respondent had forwarded the petitioner's representation to the second respondent directing to take appropriate action in that regard. However, till date no steps have been taken by the respondents to release the remaining loan amount to the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner was sanctioned a sum of Rs.1,27,000/- as agricultural loan but the entire loan amount was not yet issued to him. He further submitted that though the petitioner sent a legal notice dated 08.03.2017 to the third respondent, there is no response from the third respondent. The petitioner was driven from pillar to post for getting his agricultural loan. He therefore prays that this Court may issue appropriate direction to the first respondent to consider the petitioner's representation dated 17.12.2012, for releasing the balance agricultural loan funds lying in the credit of his account in Kisan Credit Card No.101.

4. The learned Special Government Pleader appearing for the second respondent would fairly submit that the petitioner has not yet make any representation directly to the second respondent. He would submit that if the petitioner makes a fresh representation to the second respondent, then the same will be considered by the second respondent.

5. Considering the submissions made by the learned counsel on both sides, this Court feels that it would be appropriate to issue the following directions:

(i) The petitioner is directed to submit a fresh representation to the second respondent.

(ii) On receipt of such representation, the second respondent is directed to consider the same and pass appropriate orders on merits and accordance with law, as expeditiously as possible, within a period of two weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

mrr

To

1.The District Collector,
Collectorate Office,
Sathuvacherry, Vellore District.

2.The Deputy Registrar,
Co-operative Society,
Ranipet, Vellore District.

+1cc to Mrs.SP.Arthi, Advocate SR.No.24626

+1cc to Mrs.T.P.Savitha, Advocate SR.No.24250

+1cc to Special Government Pleader (CO-OP) SR.No.25061

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AJB (CO)
GMY (30/06/2021)