



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **04.06.2021**

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

WEB COPY

W.P(MD)No. 9589 of 2021 and

WMP(MD).No. 7342 of 2021

- 1.M. Periyasamy
- 2.R.Murugan
- 3.V.Sangili Ayyadurai
- 4.A. Saravana Bhuvaneswari
- 5.P.Sangeetha

... Petitioners

Vs.

1. The Registrar of Co-operative Societies,
Tailors Road,
Kilpauk,
Chennai - 600 010.
- 2.The Deputy Registrar of Co-operative Societies,
O/o. the Deputy Registrar of Co-operative Societies,
Sivagangai,
Sivagangai District.
- 3.The Joint Registrar of Co-operative Societies,
O/o. the Joint Registrar Co-operative Societies,
Sivagangai, Sivagangai District.
- 4.The Secretary,
Q-531 Ladanendal Primary Agri. Co-operative Credit Society,
Thiruppuvanam Taluk,
Sivagangai District.

... Respondents

RAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to waive the petitioners' Agriculture Crop Loan availed in the 4th respondent Bank in terms of the circular issued by the 1st respondent bank in terms of the circular issued by the 1st respondent vide his proceedings Rw;wwpf;if vz;. 1 / 2021 (e.f.vz;. 6666 / 2021) dated 08.02.2021. within the period that may be stipulated by this Court.



For Petitioner : C. Venkatesh kumar
For Respondents : Mr.P.Thilak Kumar,
Standing Counsel for Government

ORDER

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Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to waive the petitioners' Agriculture Crop Loan availed in the 4th respondent Bank in terms of the circular issued by the 1st respondent bank vide his proceedings in Rw;wwpf;if vz;. 1/2021 (e.f.vz;.6666/2021 Ntfjp2) dated 08.02.2021, within a time frame to be fixed by this Court.

4. According to the petitioners, they are agriculturists and residing at Malavarayanendal, Thirupuvanam Taluk, Sivagangai District. They used to take a piece of land for lease and cultivate the property and for that purpose they have availed the crop loan in the 4th respondent Bank. Due to the flood, the petitioners are not in a position to cultivate in the land and suffered a loss. Based on the Rule 110 of the Tamil Nadu Legislative Assembly, the Agriculture loan of the farmers will be waived and in consequent thereof, the Registrar of Co-operative Societies vide his Circular dated 08.02.2021 issued guideline for waiver of Agriculture loans. However, the petitioners claim is pending on the ground that they have availed the loan in the Co-operative Bank, which is not coming under the jurisdiction of their area. In such circumstances, the petitioners have sent a representations dated 19.02.2021 to the respondents 3 and 4 to waive the debts of crop loan in terms of Circular issued by the Registrar of Co-operative Society, but the same has not been considered so far. Hence, the petitioner has come forward with the present Writ Petition.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to dispose of the representation of the petitioners.

6. The learned standing counsel for the respondents would state that the representation of the petitioners would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioners either in their representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 19.02.2021, on merits and in accordance with law and pass appropriate orders within a period of



twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the writ petition is disposed of.
No Costs. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note:(i) 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.

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To:

1. The Registrar of Co-operative Societies,
Tailors Road,
Kilpauk,
Chennai - 600 010.
2. The Deputy Registrar of Co-operative Societies,
O/o. the Deputy Registrar of Co-operative Societies,
Sivagangai,
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Sivagangai, Sivagangai District.
4. The Secretary,
Q-531 Ladanendal Primary Agri. Co-operative Credit Society,
Thiruppuvanam Taluk,
Sivagangai District.

+2 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-18874[F] dated 07/06/2021)

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04.06.2021

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