



W.P.No.16151 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM

THE HON'BLE **MR.JUSTICE C.SARAVANAN**

W.P.No.16151 of 2022

C.Ramadoss

... Petitioner

Vs.

- 1.The President,
Ty.Spl.106 - Muthuservamadam Primary
Agricultural Co-operative Credit Society,
Muthuservamadam Post,
Udayarpalayam Taluk, Ariyalur District.
- 2.The Secretary,
Ty.Spl.106 - Muthuservamadam Primary
Agricultural Co-operative Credit Society,
Muthuservamadam Post,
Udayarpalayam Taluk, Ariyalur District.
- 3.The Registrar of Societies,
No.170, N.V.Natarajan Maligai,
E.V.R. Periyar Salai, Poonamalle High Road,
Kilpauk, Chennai - 600 010.
- 4.The Deputy Registrar of Co-operative Societies,
Order of the District Collector,
Ariyalur Region, Ariyalur,
Ariyalur District.



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5.The Joint Registrar of Co-operative Societies,
Order of the District Collector,
Ariyalur Region, Ariyalur District.

6.The District Collector,
Order of the District Collector,
Ariyalur District.

7.Anbalagan ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the third to sixth respondents herein to conduct enquiry by considering the petitioner's representation dated 24.05.2022.

For Petitioner : Mr.L.Pachaiyappan

For Respondents :
For R1 & R2 : Mrs.V.Yamuna Devi
Special Government Pleader

For R3 to R6 : Mr.M.Shahjahan
Special Government Pleader

ORDER

Mrs.V.Yamuna Devi, learned Special Government Pleader takes notice on behalf of the first and second respondents and Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the third to sixth respondents.



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2. The petitioner has filed this writ petition for a Mandamus, to direct the third to sixth respondents herein to conduct enquiry based on the petitioner's representation dated 24.05.2022.

3. The specific case of the petitioner is that the seventh respondent is brother of the petitioner and he has illegally obtained agricultural loan as if he intended to cultivate paddy, when land in question has only 10 years old casuarinas Trees, Eucalyptus Trees. It is further submitted that earlier the land was obtained for the Financial Year 2020-2021, which was not repaid and was later waived by the Government. Thereafter, once again the seventh respondent has obtained agricultural loan for the Financial Year 2021-2022 by suppressing the fact that the loan also belongs to the petitioner as the petitioner and the respondents are brothers.

4. It is the further case of the petitioner that the seventh respondent has fabricated the documents to make it seem as the land belongs to the seventh respondent.



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5. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Special Government Pleaders for the respondents.

6. It appears that the petitioner has also filed a suit in O.S.No.93 of 2019 before the Sub-Court, Jayankondam. It also appears that the petitioner and the seventh respondent were having a family dispute and that the suit in O.S.No.93 of 2019 is for partition.

7. Having decided to workout their remedy in the suit, it is not open for the petitioner to now send a private complaint against the seventh respondent by stating that the seventh respondent has obtained the agricultural loan illegally. The rights of the petitioner to agitate the issue as to whether the seventh respondent has colluded with some of the official respondents in securing the loan can be addressed after O.S.No.93 of 2019 is disposed.



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30.06.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order

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To

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C.SARAVANAN, J.

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4.The Deputy Registrar of Co-operative Societies,
Order of the District Collector,
Ariyalur Region, Ariyalur,
Ariyalur District.

5.The Joint Registrar of Co-operative Societies,
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