



W.P.(MD)No.19570 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.12.2022

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.19570 of 2013

and

M.P.(MD).No.1 of 2013

K.Indurani

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Deputy General Manager,
State Bank of India,
Zonal Office,
Dr.Ambedkar Main Road,
Madurai.

3.Sathyamoorthy,
The Branch Manager,
State Bank of India,
Kottur Branch,
Theni District.

4.The President,
TID 110 Nandagopalan Colony Milk
Generation Cooperative Society,
Kottur, Theni District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to take action upon the 3rd respondent for his misappropriation in the Cattle Loan Account of the petitioner and further direct the 3rd respondent to disburse the amount sanctioned for the purchase of Cattle.

For Petitioner :Mr.K.Laxman forthwith
Mr.G.Vishnuram
For Respondents :Ms.G.Fajana Ghoushia
Special Government Pleader for R1
:Mr.G.Radhakrishnan for R2 & R3

ORDER

The prayer in the writ petition seeking for a Mandamus to direct the 1st and 2nd respondents to take action upon the 3rd respondent for the misappropriation in the Cattle Loan Account of the petitioner and further direct the 3rd respondent to disburse the amount sanctioned for the purchase of Cattle.

2.The learned counsel for the 3rd respondent would submit that the amount has been disbursed. The learned counsel for the 3rd respondent had placed on record the payment of amount to the 4th respondent, who in turn, had also supplied the Cattle to the petitioner.



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3.The aforesaid statement is recorded. But, however, without going into the merits of the case, the 2nd respondent is directed to consider the complaint of the petitioner dated 30.09.2013 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

4.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

09.12.2022

Index : Yes / No
Speaking Order/Non Speaking Order
sbn



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The matter is listed today under the caption “for being mentioned” at the instance of the learned counsel appearing on either side.

2.Heard the learned counsel on either side.

3.The learned counsel appearing on either side submitted that this Court directed the 2nd respondent to consider the complaint of the petitioner, instead of 1st respondent in Paragraph No.3. Hence, request this Court to modify accordingly.

4. In view of the above, the Registry is directed to issue fresh order copy after incorporating the following changes in the paragraph No.3 of the order made in W.P.(MD).No19570 of 2013 dated 09.12.2022:



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“ 3.The aforesaid statement is recorded. But, however, without going into the merits of the case, the 1st respondent is directed to consider the complaint of the petitioner dated 30.09.2013 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order”.

03.01.2023

Index: Yes/No
Internet: Yes/No
Speaking order/Non Speaking order
sbm



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