



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2022

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THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.21398 of 2021

WEB COPY
Karupusamy

... Petitioner

vs.

- 1.The Registrar of Cooperative Society,
170, EVR Road, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakka, Chennai.
- 2.The Additional Registrar of Cooperative Society,
117/91, St.Mary Road, Abiramam,
Chennai - 600 018.
- 3.The Managing Director of Cooperative Society,
NV Natarajan Maaligai,
170, Periyar EVR High Road, Kilpauk,
Chennai.
- 4.The District Collector,
The District Collector Office,
Ramanathapuram.
- 5.The Zonal Registrar,
The Zonal Registrar Office,
Ramanathapuram.
- 6.The Secretary,
Q1207, Melakodumaloor PACCS,
Melakkodumaloor,
Mudhukulathur Taluk, Ramanathapuram.
- 7.The Registrar,
Cooperative Society,
Nainar Koil, Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 13.09.2021 and to provide NOC to the petitioner in respect of the loan amount and consequently, to direct the 7th respondent to complete the enquiry and dispose the proceedings within the time fixed by this Court.

For Petitioner :Mr.K.Selvam

For Respondents :Mr.D.Ghandiraj

<https://hcservices.ecourts.gov.in/hcservices/>

Special Government Pleader

**ORDER**

Heard Mr.K.Selvam, learned Counsel for the petitioner and Mr.D.Ghandiraj, learned Special Government Pleader appearing for the respondents.

2.This Writ Petition has been filed in the nature of a Mandamus seeking a direction to the respondents to consider the representation, dated 13.09.2021 given by the petitioner and thereafter, to provide No Objection Certificate to the petitioner with respect to a loan amount and also to direct the seventh respondent/Registrar of Cooperative Society, Nainar Kovil, Ramanathapuram to complete the enquiry as against the sixth respondent.

3.It is stated by the petitioner in his affidavit that the petitioner is a member of the sixth respondent Society. He has a Savings Bank Account in the sixth respondent Society. He had obtained crop loan from the sixth respondent in the year 2017 for the purpose of agriculture. He purchased fertilizer for agricultural purpose. It is claimed that he had paid the entire crop loan amount together with interest to the sixth respondent. A receipt was also issued to the petitioner.

4.Thereafter, the petitioner approached the sixth respondent to issue a No Objection Certificate. But that was not issued. The petitioner wanted fresh crop loan for agricultural purpose. At that time, it was informed that the Secretary of the sixth respondent is alleged to have misappropriated substantial amounts which had been repaid towards crop loan. It is under these circumstances, the petitioner had given a representation on 13.09.2021 seeking necessary enquiry to be conducted with respect to all these issues.

5.A direction is given to the seventh respondent/Registrar of Cooperative Society, Nainar Koil at Ramanathapuram to conduct necessary enquiry with respect to the representation given by the petitioner, issue notice to the petitioner and examine whether the petitioner had actually paid back the entire loan which he had borrowed and thereafter, pass necessary further orders with respect to the petitioner and examine whether the petitioner is eligible for No Objection Certificate. The entire exercise must be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the said observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Registrar of Cooperative Society,
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- 7.The Registrar,
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+1 CC to M/s.SPL GP (SR-1902[F] dated 20/01/2022)

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19.01.2022

MGJ(31.01.2022) 3P 9C