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W.P.No.22429 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.22429 of 2023

S.K.Periyasamy

... Petitioner

Vs

1. The Joint Registrar of Co-operative Societies,
Perambalur District, Perambalur.
2. The Deputy Registrar of Co-operative Societies,
Perambalur District, Perambalur.
3. The Assistant Director,
Co-operative Audit Department, Ariyalur District.
4. The President,
R-1148, Kilumathur Primary Agricultural
Co-operative Society Ltd.,
Kunnam Taluk, Perambalur District.
5. The Secretary,
R-1148, Kilumathur Primary Agricultural
Co-operative Society Ltd.,
Kunnam Taluk, Perambalur District.

... Respondents

Prayer:- Writ Petition is filed, under the Article 226 of Constitution of



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India, to issue a Writ of Mandamus directing the first respondent to take appropriate action on the representation of the petitioner dated 18.12.2022 to discharge the loan account of 48 members of Crop Loan annexed in the list by converting the suspense account to the regular account of the fourth respondent co-operative society and to issue no objection certificate for discharge of the loans in the light of the communication issued by the second respondent to the respondents 4 and 5 dated 19.05.2023 in Na.Ka.No.1357/1998/Sa.Pa. Within a stipulated time.

For Petitioner : Mr.C.Prakaran

For Respondents : Mr.V.P.R.Elambaridhi
Additional Government Pleader

ORDER

With consent of both sides, this Writ Petition is taken up for disposal in the admission stage itself.

3. This Writ Petition has been filed to direct the first respondent to take appropriate action on the representation of the petitioner dated



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18.12.2022 to discharge the loan account of 48 members of Crop Loan annexed in the list by converting the suspense account to the regular account of the fourth respondent co-operative society and to issue no objection certificate for discharge of the loans in the light of the communication issued by the second respondent to the respondents 4 and 5 respondents dated 19.05.2023 within a stipulated time.

3. It is the case of the writ petitioner that he has already deposited a sum of Rs.4,86,004/- towards the alleged misappropriation and the same has been kept in suspense account. If that amount has been given credit to the loan account, the petitioner will be relieved from the allegations levelled against him. In this regard, a communication dated 19.05.2023 has also been sent by the second respondent in Na.ka.No.1357/1998/ Sa.Pa. to the fourth and fifth respondents. However, no action has been taken by the respondents. Hence, the present Writ Petition has been filed.



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4. Mr.V.P.R.Elambaridhi, learned Additional Government Pleader takes notice for the respondents.

5. A perusal of the records, particularly, the communication of the second respondent dated 19.05.2023, it is seen that the second respondent has infact sent a communication to the third respondent for appropriate Order on the basis of the representation of the writ petitioner. In such view of the matter, the third respondent shall pass an Order on the representation of the petitioner dated 18.12.2022 on the basis of the recommendations made by the second respondent within a period of one month from the date of receipt of a copy of this Order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index:Yes/No

Neutral Citation : Yes/No

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To,
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N.SATHISH KUMAR, J.

VTC

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