



W.P.No.24939 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.24939 of 2023

M.Nagarajan

...Petitioner

Vs.

- 1.The Registrar of Co-operative Societies,
No.170 Natrajan Malaigai,
EVR Periyar High Road,
Kilpauk,
Chennai-10.
 - 2.The Joint Registrar of Co-operative Societies,
Erode Region,
Thiru nagar Colony,
Erode District.
 - 3.The Deputy Registrar of Co-operative Societies,
Gobichettipalayam Circle,
Pudupalayam,
Erode District-638 452.
 - 4.The Sathyamangalam Primary Co-operative
Agricultural and Rural Development Bank,
Sathyamangalam
Erode District-638 402.
- ..Respondents.



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the proposal of the 3rd respondent to grant waiver of the agricultural loan availed by the petitioner by considering the petitioner's representation dated 09.06.2023.

For Petitioner	:Mr.S.P.Harikrishnan
For Respondents 1 to 2	: Mr.P.Anandha Kumar Government Advocate
For Respondent 4	: Mr.S.Ravichandran Additional Government Pleader

ORDER

The writ petitioner seeks a direction to 1st respondent to dispose of the proposal of the 3rd respondent to grant waiver of agricultural loan availed by the petitioner by considering his representation dated 09.06.2023.

2. According to the petitioner, he is a member of 4th respondent society and he availed agricultural loan from the said society in the year 1999. The petitioner approached the 4th respondent for waiver of his agricultural loan



under G.O.Ms.No.70 of 2006 dated 13.05.2006 and a proposal for waiver has been sent by the 3rd respondent to 1st respondent as recorded in the order passed by this Court in W.P.No.19416 of 2021 dated 12.11.2021. In the earlier writ petition, after recording that the 3rd respondent had sent a proposal for waiver of the loan in favour of the petitioner to 1st respondent, the writ petition was disposed of without issuing any direction to 1st respondent to pass final orders.

3. The learned counsel for the petitioner submits that till date, the 1st respondent has not passed any final orders on the proposal sent by the 3rd respondent. Subsequently, the petitioner submitted a representation to 2nd and 3rd respondents seeking waiver of the loan amount under G.O.Ms.No.70 referred above. The said representation has not been considered by the 2nd and 3rd respondents.

4. Mr.P.Anandha Kumar, learned Government Advocate takes notice for the respondents 1 to 3. Mr.S.Ravichandran, learned Additional Government Pleader takes notice for the 4th respondent.



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5. It is seen from the order passed by this Court in earlier writ petition in W.P.No.19416 of 2021, a proposal has been sent by the 4th respondent to 1st respondent for waiver of the loan obtained by the petitioner. In this circumstances, the petitioner is directed to submit a fresh representation to the 1st respondent seeking waiver of the loan within a period of two weeks from the date of receipt of a copy of this order. The 1st respondent is directed to consider the representation of the petitioner and pass final orders on merits and in accordance with law within a period of four weeks thereafter.

6. With the above directions, this writ petition is disposed of. No costs.

24.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

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