



W.P(MD)No.6823 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P(MD)No.6823 of 2021

P.Vellaichamy

... Petitioner

Vs.

1.The Government of Tamilnadu

Rep. by its Principal Secretary,
Food and Co-Operative Department,
Secretariat,
Chennai - 600 009.

2.The Registrar of Co-Operative Societies,

Kilpauk,
Chennai - 600 010.

3.The Deputy Registrar of Co-Operative Societies,

Srivilliputhur,
Virudhunagar District.



W.P(MD)No.6823 of 2021

4.The Joint Registrar of Co-Operative Societies,
Collectorate Complex,
Virudhunagar.

5.The President, SP.SPL.99
Kosugundu Primary Agricultural Co-Operative Credit Society,
Kosugundu,
Sattur Taluk,
Virudhunagar District.

6.The Secretary, SP.SPL.99
Kosugundu Primary Agricultural Co-Operative Credit Society,
Kosugundu,
Sattur Taluk,
Virudhunagar District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue Loan Clearance Certificate to the petitioner as per G.O.Ms.No.59 dated 28.06.2016 based on the petitioner's representation, dated 11.02.2021.

For Petitioner : Ms.S.Latha

For Respondents : Mr.A.K.Manikkam – for R1 to R4
Special Government Pleader



W.P(MD)No.6823 of 2021

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ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 11.02.2021 and to give Loan Clearance Certificate to the petitioner by taking into account G.O.Ms.No.59, dated 28.06.2016.

2. Heard Ms.S.Latha, learned counsel appearing on behalf of the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of respondents.

3. The case of the petitioner is that he is a farmer and the brother of the petitioner had taken a loan from the fifth respondent Society. Towards this loan, the property belonging to the joint family property was given as a security. The further case of the petitioner is that the Government issued G.O.Ms.No.59, dated 28.06.2016 and granted waiver of the loan. In view of same, the petitioner is seeking for the Loan Clearance Certificate, based on the representation made by the petitioner on 11.02.2021.



W.P(MD)No.6823 of 2021

WEB COPY

4. Taking into consideration of the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents 5 and 6 to consider the representation made by the petitioner on 11.02.2021 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondents 5 and 6 along with all relevant documents and also copy of this order.

5. This Writ Petition is disposed of with the above directions.

No costs.

16.10.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

RM



W.P(MD)No.6823 of 2021

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W.P(MD)No.6823 of 2021

N.ANAND VENKATESH, J.

RM

W.P(MD)No.6823 of 2021

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