



W.P(MD)No.22333 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.22333 of 2022

V.Suruli

... Petitioner

Vs

1. The Joint Registrar of Co-Operative Societies,
Uthamapalayam, Theni District.
2. The Assistant Registrar of Agricultural
Co-Operative Societies,
Theni Circle,
Theni.
3. The Secretary,
D D 136, Dombuchery,
Primary Agricultural Co-Operative Credit Society Limited,
Dombuchery, Bodinayakanur,
Theni District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the Respondents to waive the jewel loan of the petitioner (less than 40 grams) that was borrowed by the petitioner from the cooperative society namely DD-136, Dombuchery Primary Agricultural Co-operative Credit Society (PACCS) in Bodinayakanur, Theni District.



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For Petitioner : Mr.R.Rajaraman
For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the respondents, particularly to the third respondent to waive the jewel loan of the petitioner, which was borrowed by the petitioner from the third respondent/Co-operative society namely DD-136, Dombuchery Primary Agricultural Co-operative Credit Society (PACCS) in Bodinayakanur, Theni District.

2.It is stated that at the time when the jewels were pledged weighed as 40.000grams. A Government Order was subsequently issued on 01.11.2021 that jewel loans where 40 grams pledged can be waived. Therefore, the learned counsel for the petitioner seeks to waive the jewel loan, even though at the time it was pledged the weight of the jewel was 40.300grams.



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3.The issue on fact can only be decided by the first respondent. A direction is given to the first respondent to examine the representation of the petitioner and issue notice to the petitioner and pass necessary order, within a period of eight weeks, from the date of receipt of a copy of this order.

4.The fact that the original records had been produced by Mr.R.Ragavendran, learned Government Advocate, who appears on behalf of the third respondent is deeply appreciated and his efforts are also deeply appreciated.

5.With the above directions, this writ petition stands disposed of. No costs.

19.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
PNM



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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