



W.P.(MD).No.23250 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.12.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD).No.23250 of 2022

V.Jeyaprakash

.. Petitioner

Vs.

- 1.The Union of India,
Represented by its Secretary,
Ministry of Finance,
New Delhi.
- 2.The District Collector,
Theni District,
Theni.
- 3.The Regional Manager,
Canara Bank Theni Branch,
Opposite to Aravind Hospital,
Theni.
- 4.The Chief Manager,
Canara Bank Theni Branch,
Theni District.

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to waive the entire agricultural loan (FML and FDL) availed by the petitioner and his father under the Agricultural Debt Waiver and Debt Relief Scheme, 2008 and further directing the respondents 3 and 4 not to proceed with the original application in O.A.No.801 of 2021 on the file of Debt Recovery Tribunal Madurai.

For Petitioner	: Mr.R.Maheshwaran
For R-1	: Mr.V.Malaiyendran Central Government Standing Counsel
For R-2	: Mr.M.Lingadurai Special Government Pleader
For R-3	: No appearance
For R-4	: Mr.R.Anandharaj

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The Writ of Mandamus has been instituted to direct the respondents to waive the entire agricultural loan availed by the petitioner and his father under the Agricultural Debt Waiver and Debt relief Scheme, 2008 and further direction not to proceed with the Original Application in O.A. No.801 of 2021 on the file of the Debts Recovery Tribunal, Madurai.



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2. The relief as such sought for is absolutely misconceived and such a relief cannot be granted by this Court by exercise of the powers of judicial review. If at all any waiver scheme is available, the petitioner has to approach the authorities for availing the benefit of the scheme, since this Court cannot issue any direction to waive the entire agricultural loan obtained by the petitioner and his father. It seems that action has already been initiated by the authorities and O.A.No.801 of 2021 is pending on the file of the Debts Recovery Tribunal, Madurai. That being so, the Writ Petition is not entertainable.

3. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

(S.M.S.,J.) (L.V.G.,J.)
18.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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