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W.P.(MD)NO.28229 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28229 of 2022

E.Munisamy

... Petitioner

Vs.

1. The District Registrar,
Dindigul District Co-operative Society,
Dindigul,
Dindigul District.
2. The Sub Registrar,
O/o.The Co-operative Sub Registrar,
Raja Nagar, Shanmugapuram,
Palani.
3. The Sub Registrar,
A 303, Thennampatti Primary Agricultural
Co-operative Credit Society,
Thennampatti Post,
Vadamadurai Via,
Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to waive the jewel agriculture loan amount of Rs.80,000/- bearing debt No.66519060063979 as per GO(Ms).No.97 Co-operative Food and Consumer Protection (CC1) Department dated 01.11.2021 by considering the



representation of the petitioner dated 25.07.2022 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.A.K.Manikkam,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks the benefit of waiver as set out in the petition mentioned Government Order.

3. The petitioner had availed jewel loan from the third respondent by pledging 32 grams of gold jewellery. The petitioner will be entitled to the benefit. But as rightly pointed out by the learned Special Government Pleader, apart from the petitioner, his wife had also availed the jewel loan. If the jewellery pledged by the husband and wife are taken together, it comes to 46 grams. The aforesaid Government Order categorically states that the family will be taken as a whole



and the jewellery pledged by one or more persons of the family should not cross 40 grams. Since the ceiling limit has been exceeded, it is not possible for this Court to grant relief.

4. This writ petition stands dismissed. No costs.

31.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

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Dindigul,
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O/o.The Co-operative Sub Registrar,
Raja Nagar, Shanmugapuram,
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A 303, Thennampatti Primary Agricultural
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G.R.SWAMINATHAN,J.

PMU

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