



W.P.(MD)No.28979 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.28979 of 2024

Somasundaram

... Petitioner

Vs.

1. The Registrar,
Head of the Co-Operative Societies,
Chennai.

2. The Sub Registrar,
Nagalnayakanpatti,
Dindigul.

3. The Executor,
Primary Agricultural Credit Society,
Narasingam,
Dindigul.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 21.11.2024.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.D.S.Neduncheliyan (R1 & R3)

Government Advocate

Mr.T.Amjad Khan (R2)

Government Advocate



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ORDER

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This writ petition is filed seeking for a direction to the second respondent to consider the representation of the petitioner dated 23.11.2024.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocates appearing for the respondents and carefully perused the entire materials available on record.

4. The petitioner is an agriculturalist and he has obtained agricultural loan to the tune of Rs.20,00,000/- from the third respondent society. He has executed a mortgage deed in favour of the third respondent on 17.09.2017. Due to bad agricultural condition, the petitioner was not able to disburse the loan in time. In view of the same, the petitioner made a representation dated 23.11.2024 seeking 3 months period of time to repay the entire loan to the respondents. Since the same is not considered, this writ petition is filed.



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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. Considering the limited scope of the relief sought for In this writ petition, without going to the merits of the case, this Court direct the second respondent to consider the representation of the petitioner dated 23.11.2024 and pass appropriate orders on merits and in accordance with law with in a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

04.12.2024

NCC : Yes / No
Index : Yes / No
Sm



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L.VICTORIA GOWRI, J.

Sm

TO:-

1. The Registrar,
Head of the Co-Operative Societies,
Chennai.
2. The Sub Registrar,
Nagalnayakanpatti,
Dindigul.
3. The Executor,
Primary Agricultural Credit Society,
Narasingam,
Dindigul.

Order made in
W.P.(MD)No.28979 of 2024

Dated
04.12.2024