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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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CORAM :

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.24149 of 2025

P.Deepa

... Petitioner

Vs.

1. The Joint Registrar of Cooperative Societies
Cooperative Colony, Krishnagiri Land Bank Complex
Krishnagiri 635001

2.The Joint Registrar/Managing Director
Dharmapuri District Central Cooperative Bank
Dharmapuri 635 701

3. The Assistant Director of Cooperative Audit
Krishnagiri 635 001

4. The Administrator
KK.117 Malayandahalli Primary Agricultural Cooperative
Credit Society, Gandhinagar, Thimmapuram (PO)
Krishnagiri District 635 112

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 1st respondent, to pass appropriate orders of loan waiver in accordance with the proposal submitted by the Administrator of the 4th respondent in his proceedings dated 31.05.2023 issued in accordance with the G.O.Ms.No.114 dated 03.12.2021 within a time frame to be fixed by this court.

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For Petitioner : Mr.V.Vijay Shankar
For Respondents : T.Chezhiyan for R1 to R3
Additional Government Pleader
Mrs.M.Geetha Thamaraiselvan for R4
Special Government Pleader

ORDER

This Writ Petition is filed for a Writ of Mandamus directing the 1st respondent, to pass appropriate orders of loan waiver in accordance with the proposal submitted by the Administrator of the 4th respondent in his proceedings dated 31.05.2023, issued in accordance with the G.O.Ms.No.114 dated 03.12.2021, within a time frame to be fixed by this court.

2. Mr.T.Chezhiyan, learned Additional Government Pleader, takes notice for R1 to R3 and Mrs.M.Geetha Thamaraiselvan, learned Special Government Pleader, takes notice for R 4.

3. The petitioner is an agriculturist and a member (Membership No.2604) of the Self Help Group (SHG) functioning under the name and style

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of Vetkaliasman Magalir Mandram, which is exclusively dedicated to women

formed with an objective of promoting small business and cooperative

savings. The said SHG is a member of the K.K.117 Malaiyandahalli Primary

Agricultural Cooperative Credit Society, which is one of the largest

agricultural credit society, in Krishnagiri District. While so, the petitioner

availed Rs.5.70 lakhs as loan in August, 2015, and also paid few instalments

with interest. While so, the Government of Tamil Nadu issued

G.O.Ms.No.114 dated 03.12.2021, where under as one time measure, the

Government waived off all loans together with interest availed by SHG's,

from Agricultural Credit Societies. Based on the said G.O., the Registrar of

Cooperative Societies, Chennai, issued circular No.8/2022 dated 24.03.2022,

directing all Primay Agricultural Credit Society's to waive off the entire loan

together with interest availed by SHGs. Another circular was issued by the

Registrar of Cooperative Societies on 11.11.2022, extending the benefit to

time barred debts and surcharge proceedings. In view of the aforesaid

proceedings, the petitioner submitted an application to the 4th respondent



society, requesting it to waive off the loan availed by the Vetkkaliamman SHG.

4. As per the procedures, the 4th respondent forwarded a proposal to the Joint Registrar, Krishnagiri, on 31.05.2023, for waiver and approval and a copy of the said proposal was also marked to the petitioner. Since no action was taken even after lapse of 2 years, the petitioner filed the writ petition for the above stated relief.

5. Heard the learned counsels on both sides and perused the materials on record. With consent of both counsels, the main writ petition is taken up for final disposal.

6. The undisputed facts are that the petitioner as a member of the SHG, pursuant to G.O.Ms.No.114 dated 03.12.2021 and the circular of the Registrar of Co-op Societies dated 11.11.2022, submitted an application to the 4th

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respondent Society, to waive off the loan availed by her. The 4th respondent on the basis of the petitioner's application forwarded the proposal to the 1st respondent on 31.05.2023, recommending the waiver of the loan availed by the petitioner. The 1st respondent despite receiving the proposal from the 4th respondent, did not initiate any action. It is seen that 2 years have lapsed since the recommendation dated 31.05.2023, of the 4th respondent to the 1st respondent. The 1st respondent exhibiting characteristic administrative nonchalance, has kept the file pending without any justifiable reasons.

7. In view of the above facts, I am inclined to direct the 1st respondent to take immediate action on the loan application of the petitioner. The petitioner is directed to submit a representation to the 1st respondent giving the loan particulars availed by her from the 4th respondent Society, along with the supporting documents, if any, within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the 1st respondent shall consider the petitioner's representation along with the proposal of 4th respondent dated

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31.05.2023, and in the light of the aforesaid government G.O and the circulars, issued by the Registrar of Cooperative Society, on merits and in accordance with law, within a period of six weeks, from the date of receipt of a copy of this order.

8. In the result, this Writ Petition is disposed of with the above direction. No costs.

03.07.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
gv



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To

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N.MALA, J.

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