



W.P.(MD) No.17103 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.17103 of 2025

and

W.M.P.(MD) Nos.12963 & 12966 of 2025

S.Ayisha

... Petitioner

Vs.

1.The Cooperative Sub Registrar,
Aruppukkottai, Virudhunagar District.

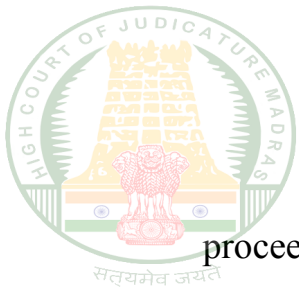
2.The Deputy Registrar of
Cooperative Societies,
Aruppukkottai, Virudhunagar District.

3.The Regional Joint Registrar of
Cooperative Societies,
O/o. Regional Joint Registrar of
Cooperative Societies,
Virudhunagar.

4.The Junior Inspector/Sales Officer,
O/o. Deputy Registrar of Cooperative
Societies,
Aruppukkottai, Virudhunagar District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the first respondent vide his



W.P.(MD) No.17103 of 2025

proceedings in Case No.3/2024-2025 dated 05.08.2024 and the consequential impugned order passed by the second respondent vide his proceedings in Ni.Ma.No.03/2025-2026 dated 02.06.2025 and the consequential impugned order passed by the fourth respondent vide his proceedings in Ni.Ma.03/2025-2026 dated 04.06.2025 and quashing the same as illegal.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondent : Mr.D.Ghandiraj
Special Government Pleader

ORDER

The petitioner has filed this Writ Petition challenging (i) the impugned order dated 05.08.2024 passed by the first respondent *vide* his proceedings in Case No.3/2024-2025, (ii) the impugned order dated 02.06.2025 passed by the second respondent *vide* his proceedings in Ni.Ma.No.03/2025-2026, and (iii) the impugned order dated 04.06.2025 passed by the fourth respondent *vide* his proceedings in Ni.Ma. 03/2025-2026.

2. The petitioner is before this Court for the second time. Earlier, the petitioner has approached this Court in W.P.(MD) No.6935 of 2019 for the following relief:



WEB COPY



W.P.(MD) No.17103 of 2025

to issue a Writ of Mandamus to direct the respondent to process the petitioner's application for educational loan to the tune of Rs.6,00,000/- in pursuant to the communication issued by the third respondent in his proceedings Nil dated 10.08.2018 without insisting for the collateral security in conformity with the proceedings issued by the first respondent vide his proceedings R.C.No.85645/2010 UB.2, dated 02.07.2010.

3. The Writ Petition was allowed, however, on terms *vide* order dated 22.04.2019 with the following observations:

4. I am of the view that these non-statutory circulars cannot be enforced in writ proceedings. However, it is seen that as per G.O.Ms.No.14, Backward classes, Most Backward Classes and Minorities Welfare (MWRU) Department dated 22.02.2008, an applicant is entitled to get loan to the tune of Rs.2.5 Lakhs without furnishing collateral security but by offering personal security of a permanent employee working in Government/ PSU/ Bank/ Autonomous Bodies". The petitioner is willing to offer such a personal surety.

5. Therefore, this Court directs the second and third respondents to disburse the sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) to the petitioner on the petitioner offering such a personal surety. Of course, the entire amount cannot be disbursed in one lump sum. The amount can be disbursed in five installments. The petitioner has already completed one year.

6. Considering the special facts and circumstances obtaining in this case, the respondent



WEB COPY



W.P.(MD) No.17103 of 2025

bank is directed to pay a sum of Rs.1,50,000/- covering first, second and third years. The learned counsel for the petitioner submits that the petitioner is in dire straits and that the petitioner may even be thrown out from the course, if the sum of Rs.1.5 Lakhs is not given immediately.

7. Therefore, the bank shall disburse a sum of Rs. 1,50,000/- (Rupees One Lakh fifty thousand only) forthwith and within a period of four weeks from the date of receipt of a copy of this order to the petitioner, towards the first, second and third year of the petitioner's academic course. The balance amount of Rs.1,00,000/- (Rupees One Lakh only) will be disbursed to the petitioner for the fourth and fifth year in two installments.

8. Accordingly, this writ petition is allowed on these terms. No costs.

4. Aggrieved by the petitioner, the petitioner had filed W.A.(MD) No.569 of 2020. The said Writ Appeal was disposed of on 11.12.2023 with the following observations:

The learned Additional Government Pleader appearing for the 1st respondent furnished the copy of the proceedings issued by the General Manager, Virudhunagar District Central Co-operative Bank Ltd., to the Deputy Registrar of Co-operative Societies, Aruppukkottai, dated 05.12.2023. The said proceedings reveals that the writ petitioner / appellant completed her course and employed in a private company on 01.02.2023 and she is receiving salary. Despite the fact that the writ petitioner secured employment, she has



WEB COPY



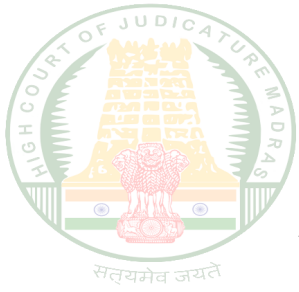
W.P.(MD) No.17103 of 2025

not repaid the educational loan obtained from the Central Co-operative Bank, Virudhunagar.

2. In view of the said communication dated 05.12.2023, the writ petitioner is not entitled for any other relief and therefore, this Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

5. The facts on record indicate that the petitioner had availed an educational loan from the third respondent-Cooperative Society for a sum of Rs.2,50,000/-, which was to be repaid from 01.04.2023, after the petitioner completed the course on 20.09.2022. There have been multiple defaults by the petitioner, and therefore, the petitioner suffered an adverse award at the hands of the first respondent-Cooperative Sub Registrar, dated 05.08.2024, in Case No.3/2024-25, wherein the petitioner was directed to pay a sum of Rs.2,59,349/-, being the amount due in respect of the educational loan availed by the petitioner on account of failure to make timely payments as per the Loan Sanction Order.

6. It is the case of the petitioner that a sum of Rs.75,000/- has already been paid since February 2023, after the petitioner secured employment with a private concern as an architect.



W.P.(MD) No.17103 of 2025

WEB COPY

7. Since the petitioner has been irregular in repaying the amount and there has been no valid challenge to the aforesaid award dated 05.08.2024 in Case No.3/2024-25, the second respondent issued the recovery notice dated 02.06.2025, thereby attaching the property of the petitioner's father.

8. It is noticed that the petitioner has not made proper payments in a timely manner. Even according to the respondent, if the petitioner had made timely payments of Rs.5,000/- per month, the balance amount would be Rs.40,000/-. Since the petitioner failed to pay the installments on time, the entire outstanding amount is now sought to be recovered from the petitioner.

9. The learned counsel for the petitioner submits that the petitioner will regularize the installments and pay the same within a period of six weeks from the date of receipt of a copy of this order.

10. Considering the same, this Writ Petition is disposed of with a direction to the petitioner to make payments and regularize the installments within a period of two months from the date of receipt of a



W.P.(MD) No.17103 of 2025

copy of this order. In case the petitioner regularizes the installments within the said period, the respondents shall keep the recovery proceedings in abeyance. Thereafter, the petitioner shall continue to make payments as per the approved repayment schedule. However, if the petitioner fails to do so, the respondents are at liberty to proceed further to recover the amount from the petitioner in accordance with law.

11. In the result, this Writ Petitioner stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

24.06.2025

JEN

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

To

1.The Cooperative Sub Registrar,
Aruppukkottai,
Virudhunagar District.

2.The Deputy Registrar of Cooperative Societies,
Aruppukkottai,
Virudhunagar District.

3.The Regional Joint Registrar of Cooperative Societies,
O/o. Regional Joint Registrar of Cooperative Societies,
Virudhunagar.



W.P.(MD) No.17103 of 2025

4.The Junior Inspector/Sales Officer,
O/o. Deputy Registrar of Cooperative Societies,
Aruppukkottai,
Virudhunagar District.

WEB COPY



WEB COPY



W.P.(MD) No.17103 of 2025

C.SARAVANAN, J.

JEN

W.P.(MD) No.17103 of 2025

24.06.2025