



WEB COPY

WP No. 12745 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 12745 of 2026

B.Killivalavan
S/o. Mr. Balasundaram,
Aalathipallam Village Meensurutti (Via) 612 903
Uodayar Palayam (Vattam), Ariyaloor District.

..Petitioner(s)

Vs

1. The Director
Medical and Rural Health Services,
Iyanavaram, Chennai -600 023
2. The Regional Administrative Medical Officer
(ESI),
The Regional Administrative Medical Officer,
Perambur, Chennai-12
3. The Secretary
E.S.I. Dispensary Staffs Society,
Iyanavaram, Chennai-12
4. The Medical Superintendent
E.S.I. Dispensary,
Sivakarai, Virudhunagar District -626 124
5. Mr. C. Deivakumar,
S/o. Chinnamuthu,
53A Kamarajar Salai, Near Regiland School,
Satchiapuram, Sivakasi West
Virudhunagar District 626 124



..Respondent(s)

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Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 3rd Respondent (Beneficiary) to consider the petitioner's representation dated 07.01.2026 requesting to receive the default loan amount of 5th Respondent from his salary and relieve the petitioner as Surety and issue No Due Certificate in order to get the DCRG amount pending for 6 months.

For Petitioner(s): M/S.S.Elankumaran

For Respondent(s): Mr.K.Tippusulthan,
Government Advocate for R1
Notice dispensed with-R5

ORDER

This petition has been filed seeking a direction to the 3rd Respondent (Beneficiary) to consider the petitioner's representation dated 07.01.2026, requesting that the default loan amount of the 5th Respondent be recovered from his salary, and to relieve the petitioner from the role of surety by issuing a No Due Certificate, so as to enable the petitioner to receive his DCRG amount, which has been pending for six months.

2.The case of the petitioner is that both he and the 5th Respondent are members of the 3rd Respondent society. The petitioner, a retired staff member of the E.S.I. Dispensary at Chennai, had availed a loan of Rs.7,00,000/- from



the 3rd Respondent society on 09.03.2018, for which the 5th Respondent stood as guarantor. Similarly, the petitioner stood as surety for the 5th Respondent.

The petitioner repaid his entire loan on 03.06.2024. However, on 25.04.2024, he received a notice from the 3rd Respondent stating that the 5th Respondent had defaulted on his loan. Despite this, the 3rd Respondent sanctioned another loan to the 5th Respondent without clearing his earlier dues. The petitioner retired on superannuation on 31.05.2024. When he applied for his DCRG amount, his department advised him to obtain a No Due Certificate from the 3rd Respondent. The petitioner submitted representations to the 1st Respondent on 10.06.2025 and to the 4th Respondent on 07.08.2025, but no action was taken. Hence the petitioner made a representation to the respondents 1, 3, 4 and 5 on 07.01.2026, but there was no response. Hence the present writ petition has been filed.

3. Since no adverse order is being passed against the 5th respondent, notice to the 5th respondent is dispensed with.

4. Considering the limited request made by the learned counsel for the petitioner, without going into the merits of the case, this Court directs the 3rd respondent to consider the petitioner's representation dated 07.01.2026 and pass appropriate orders on merits and in accordance, after affording an opportunity



of hearing to the 5th respondent, with law within a period of six weeks from the date of receipt of a copy of this order.

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5. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

06-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Uma

To

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