



W.P.(MD)No.13945 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.13945 of 2021
and
W.M.P.(MD).No.10890 of 2021

P.Vijaya Raja

... Petitioner

Vs

1.The District Collector,
Tenkasi District, Tenkasi.

2.The Commissioner of Sugar,
No.690, 2nd Floor,
Periar Building,
Anna Salai, Nandhanam,
Chennai - 35.

3.M/s. Dharani Sugars and Chemicals Limited,
Dharani Nagar, Vasudevanallur,
Sivagiri Taluk, Tenkasi District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 order the 3rd respondent to pay Rs.12,90,444.96/- along with 18% interest to the petitioner for sugarcane supplied in ryot no. 73019 in the year 2019 within a time frame fixed by this Court.

For Petitioner : Mr.F.X.Eugene

For R-1 & R-2 : Mr.A.K.Manikkam,
Special Government Pleader



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ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the second respondent to consider the representation made by the petitioner on 25.06.2021, wherein, the petitioner is seeking to recover the sum that is due and payable by the third respondent towards the supply of sugarcane to the third respondent Factory.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Special Government Pleader appearing on behalf of respondent Nos.1 and 2.

3. The grievance of the petitioner is that he had supplied sugarcane to the third respondent Factory and the third respondent Factory is due and payable a sum of Rs.12,90,444.96/- as on 11.08.2019. The further case of the petitioner is that the petitioner is a ryot and like the petitioner, there were several ryots, who had supplied sugarcane to the third respondent Factory and the third respondent did not settle their amount. In the meantime, the third respondent Factory was taking urgent steps to dispose of the Factory and thereby, deprive the amount that is due and payable to the ryots. Hence, the petitioner made a representation in this regard to the first and second respondents on 25.06.2021. Since the same did not evoke any response, the present Writ Petition has been filed before this Court.



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4. Taking into consideration the facts and circumstance of the case

and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 25.06.2021 on its own merits and in accordance with law after giving an opportunity to the third respondent and a final decision shall be taken within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

06.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

tsg

To

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