



W.P.(MD) No.16228 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.16228 of 2020 and

S.Manikandan,

... Petitioner

Vs

1. The District Revenue Officer,
Tirunelveli, Tirunelveli District.

2. The Inspector of Police,
Civil Supplies Cid, Tirunelveli..

3. The Inspector of Police,,
Civil Supplies C.I.D., Tirunelveli..

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to pay Rs.3,12,000/- (Rupees Three Lakhs and Twelve Thousand Only) in lieu of the 208 bags of ADT 45 Ponni rice sized from the Lorry bearing registration No. KL 45 L 3883 seized by the 2nd respondent on 02.08.2019 along with interest to the petitioner.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.A.K.Manikkam
Special Government Pleader



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W.P.(MD) No.16228 of 2020

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing 1st respondent to pay Rs.3,12,000/- (Rupees Three Lakhs and Twelve Thousand Only) in lieu of the 208 bags of rice seized by the 2nd respondent.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. When the writ petition came up for hearing on 13.07.2021, this Court passed the following order:

“The petitioner has approached this Court seeking for a direction to the first respondent to pay damages to the tune of Rs. 3,12,000/- (Rupees Three lakhs twelve thousand only) with interest.

2. The case of the petitioner is that the second respondent while carrying out the seizure, had also seized 208 bags of Ponni rice. The petitioner already approached this Court by filing W.P (MD).No.17934 of 2019 and this Court passed an order on 11.03.2020 directing the respondents to return back the 208 bags of rice to the petitioner. The grievance of the petitioner is that the rice was not handed over. Ultimately when the order was passed by the first respondent and the petitioner went to the go-down, he found



W.P.(MD) No.16228 of 2020

that the entire rice has become stale and was infected with pests. Therefore, the petitioner has sought for compensation.

3. In the considered view of this Court, the respondents can atleast return back rice to the tune of 10,400 kilograms that was kept in the 208 bags seized from the petitioner. Once this is done, the respondents need not pay any damages to the petitioner. The petitioner will also not be adversely affected.

4. The learned Government Advocate is directed to take instructions from the respondents and report before this Court as to when 10,400 kilograms of Ponni rice can be handed over to the petitioner. 5. Post this case under the caption “for reporting compliance” on 22.07.2021.“

4.The writ petition was thereafter posted for hearing on 22.07.2021 and this Court passed the following order:

“This Court passed an order on 13.07.2021 and directed the learned Government Advocate to take instructions from the respondents.

2. When the matter was taken up for hearing, the learned Government Advocate produced a Quality Certificate issued by the Tamil Nadu Civil Supplies Corporation, Regional Laboratory, Tirunelveli Region, to the effect that the rice is in a good condition and it is fit for human consumption. The learned Government Advocate



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W.P.(MD) No.16228 of 2020

further submitted that the petitioner can get back the entire rice that was found to be Non-PDS Rice.

3. The learned counsel for the petitioner submitted that it is more than two years, since the rice was kept in the godown and even when the last inspection was made, it was found that the rice has become stale and it was infected with pests.

4. The learned Government Advocate submitted that the petitioner can go over to the godown and inspect and whatever rice is fit for consumption can be taken and whatever has become stale can be replaced. 5. The petitioner is directed to approach the District Revenue Officer, Tenkasi, on 26.07.2021. The inspection shall be made and the petitioner shall identify the rice that is fit for consumption. Whatever rice is found to have become stale shall be replaced and reported before this Court and appropriate orders will be passed by this Court. 6. Registry is directed to post this case under the caption “For Reporting Compliance” on 29.07.2021.

5. When the writ petition was taken up for hearing today, the learned Special Government Pleader for the respondents circulated a



W.P.(MD) No.16228 of 2020

copy of the letter of the Regional Manager of the respondent Corporation dated 29.07.2022 and for proper appreciation the relevant portion is extracted hereunder:

“பார்வை 1 மற்றும் 2-ல் காணும்
உத்தரவுகளின்படி, கிடங்கில் இருப்பு
வைக்கப்பட்டிருந்த 208 சிப்பம் 10.400 கிலோ
ADT45 ரக அரிசி திரு.எம்.மணிகண்டன்
த/பெ.மாரியப்பன் என்பவரிடம் விடுவிப்பு நமுனா
எண்:S421201942 / 07.07.2022 ன்படி ஒப்படைப்பு
செய்து கணக்கு முடிக்கப்பட்டது என்பதை பணிவுடன்
தெரிவித்துக்கொள்கிறோம்.□

6. Recording the same, this writ petition is disposed of. No costs.

06.10.2023

Index : Yes/No

NCC : Yes/No

RR

To

1. The District Revenue Officer,
Tirunelveli, Tirunelveli District.

2. The Inspector of Police,
Civil Supplies Cid, Tirunelveli..

3. The Inspector of Police,,

5/7



W.P.(MD) No.16228 of 2020

Civil Supplies C.I.D., Tirunelveli..

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W.P.(MD) No.16228 of 2020

N.ANAND VENKATESH, J.

RR

WP. (MD)No.16228 of 2020

06.10.2023