

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.31353 of 2014

S.Saminathan

.. Petitioner

Vs.

1. The Commissioner of Sugars
No.690, Anna Salai,
Nandanam,
Chennai - 600 035.

2. The Assistant Director of Agriculture,
District Collector Office,
Ariyalur.

3. The President,
Kothari Sugars & Chemical Ltd.,
Mahatma Gandhi Road,
Nungambakkam,
Chennai - 600 034.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Mandamus, to direct the first respondent to give directions to the third respondent for the Registration and Cutting of Sugarcane raised by the petitioner in 1) S.No.232/10 - 49.50 Ares. 2) S.No.232/12-43.50 Ares and 3) S.No.232/13-46.50 Ares situated at Kayaralabath, Ariyalur Taluk and District for the season 2014-2015.

For Petitioner : Mr.R.Balasubramanian

For Respondents : Mr.Bala Ramesh G.A., for RR1&2

Mr.Sathish Parasaran for R3

O R D E R

By consent of the learned counsels on either side, the writ petition is taken up for final disposal.

2. Heard Mr.R.Balasubramanian, learned Counsel appearing for the petitioner, and Mr.Bala Ramesh, learned Government Advocate appearing for the respondents 1 and 2 and Mr.Sathish Parasaran, learned counsel appearing for the third respondent.

3. The petitioner seeks for issuance of a Writ of Mandamus, to direct the first respondent to give appropriate direction to the third respondent for registration and cutting of sugarcane raised by the petitioner in the lands mentioned in the Writ Petition.

4. According to the petitioner, the petitioner is a registered cane grower of the third respondent and the third respondent is bound to receive the cane supplied by the petitioner. When the matter was taken up before this Court, it was found that there is some dispute between the petitioner and some other third parties.

5. The learned counsel appearing for the third respondent submitted that they are ready to receive the cane from the petitioner and he may supply the cane to the factory gate.

6. The learned counsel on instruction from the petitioner submitted that the petitioner is ready and willing to supply the cane after harvesting the same at the factory gate of the third respondent.

7. Accordingly, the Writ Petition is disposed of, by directing the petitioner to harvest the cane and supply the same at the factory gate of the third respondent Mill and if the same is done, the third respondent is directed to accept the same. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-II)

Dt:5/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Sugars
No.690, Anna Salai,
Nandanam,
Chennai - 600 035.

2. The Assistant Director of Agriculture,
District Collector Office,
Ariyalur.

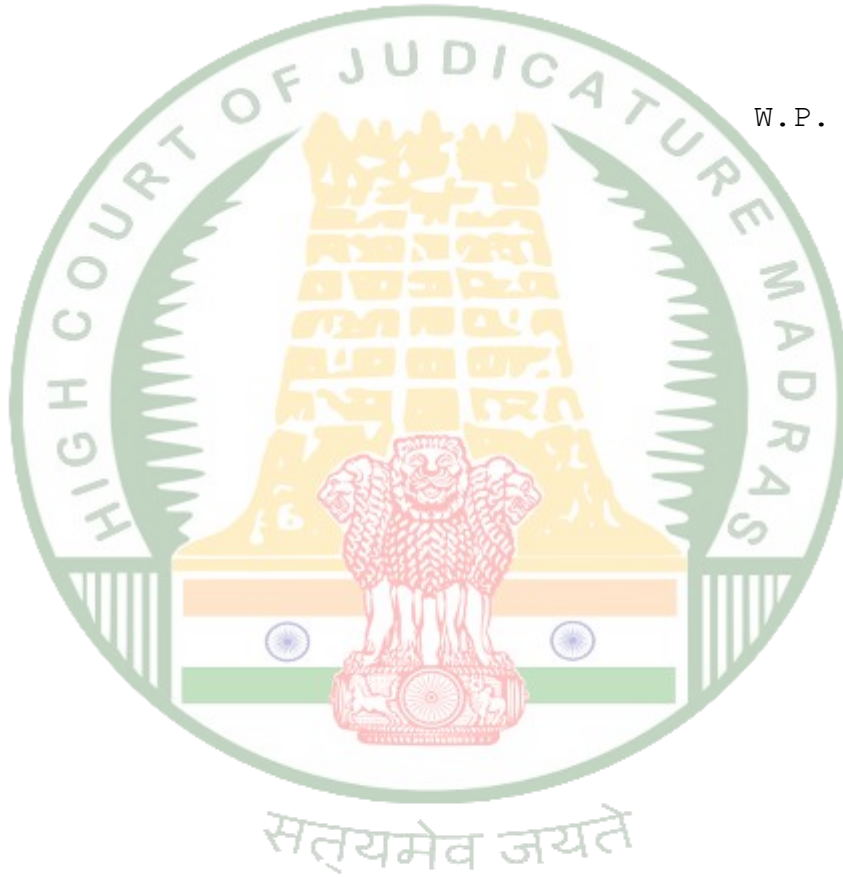
3. The President,
Kothari Sugars & Chemical Ltd.,
Mahatma Gandhi Road,
Nungambakkam,
Chennai - 600 034.

+ 1 cc to Mr.R.Balasubramanian, Advocate SR 10151

+ 1 cc to M/s.Sathish Parasaran, Advocate SR 10471

ad(co)
prk5/3

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