

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.22835 of 2015

and

M.P.Nos.1 to 3 of 2015

N.G.Deivasigamani

.. Petitioner

vs

The Regional Manager
Tamil Nadu Civil Supplies Corporation
Erode Region, Erode.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the entire records relating to the impugned order passed by the respondent in his proceedings Na.Ka.No.1114/2015/P.S.2 dated 13.7.2015, and quash the same and consequently, direct the respondent to supply paddy to the petitioner's rice mill viz. Bagyam Rice Mill, NH-47, Perundurai Main Road, Nasiyanur 638 107, Erode District, for hulling purpose.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.L.P.Shanmugasundaram
Special Government Pleader

सत्यमेव जयते
ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he is running a Rice Mill under the name and style of "Bagyam Rice Mill" and was also appointed as Hulling Agent for Tamil Nadu Civil Supplies Corporation and is doing the work on their behalf for so many years, without giving any room for complaint. The petitioner would state that on 9.7.2015, the Inspector of Police, Civil Supplies CID, Villupuram, seized one van bearing Registration No.TN-37-AD-5688 near Tindivanam, for the alleged transportation of 43 bags of rice each weighing 50 kilograms, which are meant for public under Public Distribution System and as per the confession given by the petitioner, the complicity of the petitioner is suspected and therefore, he was issued with the impugned order temporarily suspending the hulling work, and challenging the same, came forward to file this writ petition.

3.Heard the submissions of Mr.C.Prakasam, learned Counsel appearing for the petitioner, and Mr.L.P.Shanmugasundaram, learned Special Government Pleader, who accepted notice on behalf of the respondent and would submit that the petitioner is having an effective alternate remedy in the form of appeal to the Managing Director of the Tamil Nadu Civil Supplies Corporation, Chennai and he may work out the same accordingly.

4.Though the petitioner prayed for a larger relief, this Court, in the light of the above fact and circumstances and without going into the merits of the claim projected by the rival parties, permits the petitioner to submit an appeal petition to the Managing Director of Tamil Nadu Civil Supplies Corporation, Kilpauk, Chennai 10, within a period of two weeks from the date of receipt of a copy of this order and the said Official, on receipt of the same, is directed to consider it and pass orders in accordance with law, within a period of four weeks thereafter and till then, the impugned order dated 13.7.2015, shall be kept in abeyance. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

nsv

To:

The Regional Manager
Tamil Nadu Civil Supplies Corporation
Erode Region, Erode.

1 cc to Mr. C.Prakasam, Advocate Sr.No.38981

1 cc to Mr. L.P.Shanmugasundaram, Advocate Sr.No.38877

W.P.No.22835 of 2015

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pmk.11.8.2015