

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2015

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 23443 of 2015

&

M.P. No. 1 of 2015

Sivasakthi Corporation, rep. by
its Sole Proprietor M. Mohan,
Old Door No. 235,
New Door No. 320,
R.P.S. Complex,
Opposite to Balasubramaniya Mill,
Varadharajapuram,
Uppilipalayam PO,
Coimbatore 641 015. ..Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Co-operative Union,
170, N.V. Natarajan Maaligai,
Periyar EVR Road,
Kilpauk, Chennai - 600 010.
2. The Special Officer,
Tamil Nadu Co-operative Union,
170, N.V. Natarajan Maaligai,
Periyar EVR Road,
Kilpauk, Chennai - 600 010. ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records culminated in the impugned order in Na.Ka.No. 6676/11/D1 dated 07.01.2015 on the file of the 1st respondent and quash the same as illegal, unenforceable, ultra vires without jurisdiction and directing the respondents by way of writ of mandamus to pay the balance amount of Rs.2,57,91,638/- along with interest at the rate of interest 18% per annum from 18.06.2012 to the petitioner till it is realised in full for the materials supplied by the petitioner to the 9 Co-operative educational institutions under the control of the 1st respondent.

For Petitioner :: Mr.E.C. Ramesh
For Respondents :: Mr.L.P. Shanmugasundaram
Special Govt. Pleader (Co-op)

O R D E R

The relief sought by the petitioner is amounting to recovery of money arising out of realm of contract. Further, the request of the petitioner for appointment of a retired Judge or an Advocate as an Arbitrator cannot be entertained as it is not backed by any Act or Rule. Hence, the writ petition is dismissed. No costs. Connected M.P. is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

nv
To

1. The Managing Director,
Tamil Nadu Co-operative Union,
170, N.V. Natarajan Maaligai,
Periyar EVR Road,
Kilpauk, Chennai - 600 010.
2. The Special Officer,
Tamil Nadu Co-operative Union,
170, N.V. Natarajan Maaligai,
Periyar EVR Road,
Kilpauk, Chennai - 600 010.

1 cc to Mr. L.P. Shanmugasundaram, Advocate Sr.No.39642

सत्यमेव जयते

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kgk(co)
pmk.21.8.2015

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