



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2015

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P.(MD)No.8063 of 2011

and

M.P.(MD).No.1 of 2011

Sri Paulthai Lorry Booking Office
Through Its propertier G.Jeyasing
No.290A/3, Sivanthakulam Road,
Tuticorin-628 003.

... Petitioner

Vs.

1.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
SIPCOT Campus,
Tuticorin-628 008.

2.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office,
Chennai-10.

3.T.Lawarence

... Respondents

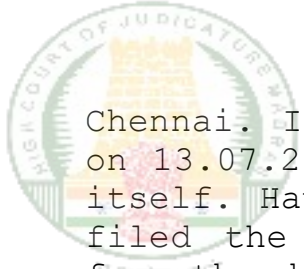
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certitorari calling for the records in connection with the impugned order of the first respondent vide proceedings Ref:Na.Ka.No.A10/9500/2009 dated 05.07.2011 and quash the same.

For Petitioner : Mr.S.S.Sundar
For R1 and R2 : Mr.R.Vijayakumar
For R3 : Mr.R.Anand

O R D E R

As against the order of termination of contract and black listing of the petitioner, the present writ petition is filed.

<https://hcservices.courtsofmadras.gov.in/hcservices>
Against the impugned order itself, it is referred that an appeal remedy is available before the second respondent, The Managing Director, Tamil Nadu Civil Supplies Corporation, Head Office,



Chennai. It is seen that the petitioner has also filed an appeal on 13.07.2011, which is made available in the typed set of papers itself. Having filed an appeal on 13.07.2011, the petitioner also filed the present writ petition on 19.07.2011, within six days from the date of filing the appeal.

WEB COPY

3. Needless to say that the petitioner cannot choose same remedy simultaneously before the two forums.

4. The learned counsel appearing for the first and second respondents submitted that in view of the pendency of the present writ petition, the appeal preferred by the petitioner before the second respondent could not be considered and disposed of. Therefore, without expressing any view on the merits and contentions raised in the writ petition, I only direct the second respondent to consider the appeal filed by the petitioner on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. Till the second respondent passes an order, the interim stay, already granted by this Court, of the impugned order, shall continue.

The writ petition is disposed of, with the above direction. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub-Assistant Registrar

To

1. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
SIPCOT Campus, Tuticorin-628 008.

2. The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office, Chennai-10.

+One cc to Mr.S.S.Sundar, Advocate, SR.No.71377

+One cc to Mr.R.Vijayakumar, Advocate, SR.No.71140

Ns

RL/5C/SKS/RR/SARI/16/12/2015

W.P. (MD) No. 8063 of 2011