

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Writ Petition No.38422 of 2004
WMP.No.45969 of 2004

- 1.K.Chandran
- 2.R.Krishnamoorthy
3. PMC.Mohanakrishnamoorthy
4. P.Sekaran
5. N.Sankaran
6. P.Veeramani
7. C.Murugesan
8. T.Manickam
9. K.Arumugam
- 10.A.Natarajan
- 11.E.Elavarasu
- 12.T.Ramalingam
- 13.G.Munusamy
- 14.C.Thimmappan
- 15.M.Silormani
- 16.G.Krishnan
- 17.A.Kariyappan
- 18.G.Ravindiran
- 19.V.Singaram
- 20.V.Velu
- 21.M.Venkatasamy
- 22.K.Varadan
- 23.M.Govindasamy
- 24.K.A.Murugan
- 25.A.Muthu
- 26.P.M.Krishnamoorthy
- 27.S.Ramakrishnan
- 28.A.Arpputhanathan
- 29.K.Shanmugam
- 30.G.Balan
- 31.V.C.Nagarajan

सत्यमेव जयते

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Vs

..Petitioners

- 1 Tamil Nadu Civil Supplies Corporation Ltd.,
rep. By its Chairman Managing Director,
No.12, Thambusamy Road,
Kilpauk, Chennai 10.

2. The Senior Regional Manager,
Tami Nadu Civil Supplies Corporation Ltd.,
Thiruvavarur Region, Thiruvavarur

..Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of mandamus to forbear the respondents from in any manner initiating the recovery proceedings against the petitioners in respect of the Rice Stocks which were classified as Non issuable by the 2nd respondent pursuant to the letter of the 1st respondent by his proceedings D.O.No.T3/71161/2001 dated 13.09.2001.

For Petitioners : Mr.K.Premkumar

For Respondents : Mr.C.Munusamy (R1)
Mr.V.Selvanayagam for
Mr.Prabhakar (R2)

O R D E R

This writ petition has been filed to forbear the respondents from in any manner initiating the recovery proceedings against the petitioners in respect of the Rice Stocks which were classified as Non issuable by the 2nd respondent pursuant to the letter of the 1st respondent by his proceedings D.O.No.T3/71161/2001 dated 13.09.2001.

2. In a connected matter in W.P.No.15578 of 2005, this Court passed the following order on 18.01.2013:-

"Though this writ petition is filed for issue of a Writ of Mandamus to forbear the respondents from in any manner initiating the recovery proceedings or making any recovery from the salary of the petitioners in respect of the Rice Stocks which were classified as non-issuable by the 2nd respondent pursuant to the letter of the 1st respondent by his proceedings D.O.No.T3/71161/2001 dated 13.09.2001, today, when the matter is taken up, learned counsel for the petitioners submitted that as per the stand of the respondents in the counter affidavit filed, individual recovery orders will be passed by the Department and in that event, the petitioners may be given liberty to challenge the same.

2. This request of the learned counsel for the petitioners seems to be very reasonable.

3. Consequently, the writ petition is disposed of giving liberty to the petitioners to challenge the orders of recovery whenever they are passed. No costs. Connected W.P.M.P. is closed".

3. In view of the above, this writ petition is disposed of giving liberty to the petitioners to challenge the orders of recovery, whenever they are passed. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai 10.

2. The Senior Regional Manager,
Tami Nadu Civil Supplies Corporation Ltd.,
Nagapattinam Region, Nagapattinam.

+ 1 cc to Mr.K. Premkumar, Advocate SR.13633
+ 1 cc to Mr.T. S. Prabhakar, Advocate SR.13626
+ 1 cc to Mr.C. Munusamy, Advocate Sr.13665
+ 1 cc to Government Pleader Sr.14417

KJI (CO)
EU 15.03.17

W.P.No.38422 of 2004

सत्यमेव जयते
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