



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 13.06.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P (MD) No.10903 of 2017andW.M.P (MD) No.8333 of 2017

M/s.Ashok Transport
represented by its Proprietor S.Palanivelu
Plot No.28,LIC Colony,
Malligai Street,
Shanthi Nagar,
Madurai - 625 018

..Petitioner

Vs

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
12, Thambusamy Road, Kilpauk,
Chennai - 600 010.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Madurai Regional Office,
Kuruvikaran Road,
Madurai.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the second respondent vide Na.Ka.Bi.1/1857/2015, dated 26.5.2017 and quash the same and consequently to direct the respondents to continue the transport contract as per the terms and condition of the agreement dated 26.5.2016 for other than Food Corporation of India Movement, Madurai Region.

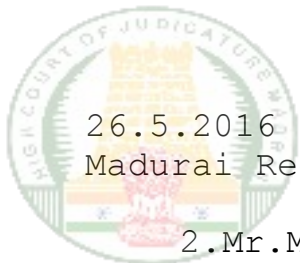
For Petitioner :M/s.D.Senthil

For Respondents :Mr.Mayarajan

Standing Counsel for TNCSC

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the second respondent vide Na.Ka.Bi.1/1857/2015, dated 26.5.2017 and quash the same and consequently to direct the respondents to continue the transport contract as per the terms and condition of the agreement dated



26.5.2016 for other than Food Corporation of India Movement, Madurai Region.

2.Mr.Mayarajan, learned Standing Counsel takes notice for the respondents.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.The order impugned in this Writ Petition is mainly attacked on the ground that without issuing notice and without conducting enquiry, the respondents have passed the impugned order and hence, it is in violation of principles of natural justice.

5.Mr.Mayarajan, learned Standing Counsel appearing for the respondents/Corporation would submit that in similar circumstances, this Court in W.P(MD)No.7224 and 7225 of 2017, dated 25.5.2017, has quashed the impugned order and remitted the case to the respondents therein to pass a fresh order.The learned Standing Counsel has also produced a copy of the said order.

6.In view of the above submission made by the learned Standing Counsel for the respondents, the order impugned in this Writ Petition is quashed and the matter is remitted back to the second respondent to pass orders afresh, on merits and in accordance with law, after giving notice to the Petitioner and other interested parties, if any, as expeditiously as possible.

7.With the above direction, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar.

To

1.The Managing Director, Tamil Nadu Civil Supplies Corporation,
12, Thambusamy Road, Kilpauk, Chennai - 600 010..

2.The Regional Manager, Tamil Nadu Civil Supplies Corporation,
Madurai Regional Office, Kuruvikaran Road, Madurai.

+1CC to M/S.D.Mayarajan, Advocate, SR.No. 59808

+1CC to M/S.D.Senthil, Advocate, SR.No. 59921

W.P(MD)No.10903 of 2017

and

W.M.P(MD)No.8333 of 2017

13.06.2017