

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2018

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.6335 of 2006

1.K.G.Sirgunanan
2.A.Jayaramanan
3.S.P.Sankaramurthi

...Petitioners

Vs

- 1.The Union of India,
Represented by Secretary,
Department of Food and Agriculture,
New Delhi.
- 2.The Union of India,
Represented by Chief Director Sugar,
Krishnapavan,
New Delhi - 110 001.
- 3.The Union of India,
Represented by Secretary,
Department of Sugar,
Krishnapavan,
New Delhi - 110 001.
- 4.The State of Tamil Nadu,
Represented by Secretary to Government,
Industries Department,
Fort St. George,
Chennai-600 009.
- 5.The State of Tamil Nadu,
Represented by Director of Sugar
and Cane Commissioner,
No.69, Anna Salai,
Nandanam,
Chennai-35.
- 6.The Arunachalam Sugar Mills Ltd.,
Tiruvannamalai,
Malapapadi Village,
Having Head Office at Ariyur Village,
Kandamangalam Post,
Pondicherry,
Represented by Vice Chairman/
President V.Baskaran.

7.Indian Renewable Energy Development
Agency Ltd., Represented by its Authorised
Officer, S.K.Bhargeva,
4-A, East Coast, Ist Floor,
Indian Habitat Centre Complex,
Lodhi Road,
Delhi - 110 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the respondents 1 and 2 to take over the management of
the sixth respondent Sugar Mill and consequently directing the
respondents 1 and 2 to clear the arrears due to the petitioners
by the sixth respondent.

For Petitioners : Mr.G.Rajan
For Respondents-1to3 : Mr.R.Rajesh Vivekanathan,
Senior Panel Counsel.
For Respondent-4 : Mr.G.B.Rajesh,
Government Advocate.
For Respondent-5 : Mrs.T.Girija,
Government Advocate (Co.op).
For Respondent-6 : Dismissed vide Court order
dated 24.6.2011.
For Respondent-7 : No Appearance.

O R D E R

The relief sought for in the present writ petition is
for a direction to direct the respondents 1 and 2 to take over
the management of the sixth respondent/Arunachalam Sugar Mills
Ltd., and consequently directing the respondents 1 and 2 to
clear the arrears due to the petitioners by the sixth
respondent/Sugar Mill.

2. The learned counsel for the writ petitioners have
taken sincere efforts to convince this Court by stating that the
writ petitioners had supplied sugarcane to the sixth respondent/
Arunachalam Sugar Mills Ltd., for manufacturing of sugar.
However, the arrears of payment are not made to the writ
petitioners for several years and the writ petitioners are
unable to get their payment even now.

3. The learned counsel appearing on behalf of the sixth respondent/Arunachalam Sugar Mills Ltd., brought to the notice of this Court that the sixth respondent-Arunachalam Sugar Mills Limited, Pondicherry, had already been wound up and the said Sugar Mill is not functioning as of now.

4. If at all the writ petitioners are having any grievances in respect of non-payment of arrears, it is left open to them to approach the Competent Authorities for the purpose of redressing their grievances in the manner known to law.

5. In view of the fact that the sixth respondent Sugar Mill is not functioning and had already been closed, no further adjudication needs to be entertained in this writ petition.

6. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Secretary,
Union of India,
Department of Food and Agriculture,
New Delhi.

2.The Chief Director Sugar,
Union of India,
Krishnapavan,
New Delhi - 110 001.

3.The Secretary,
Union of India,
Department of Sugar,
Krishnapavan,
New Delhi - 110 001.

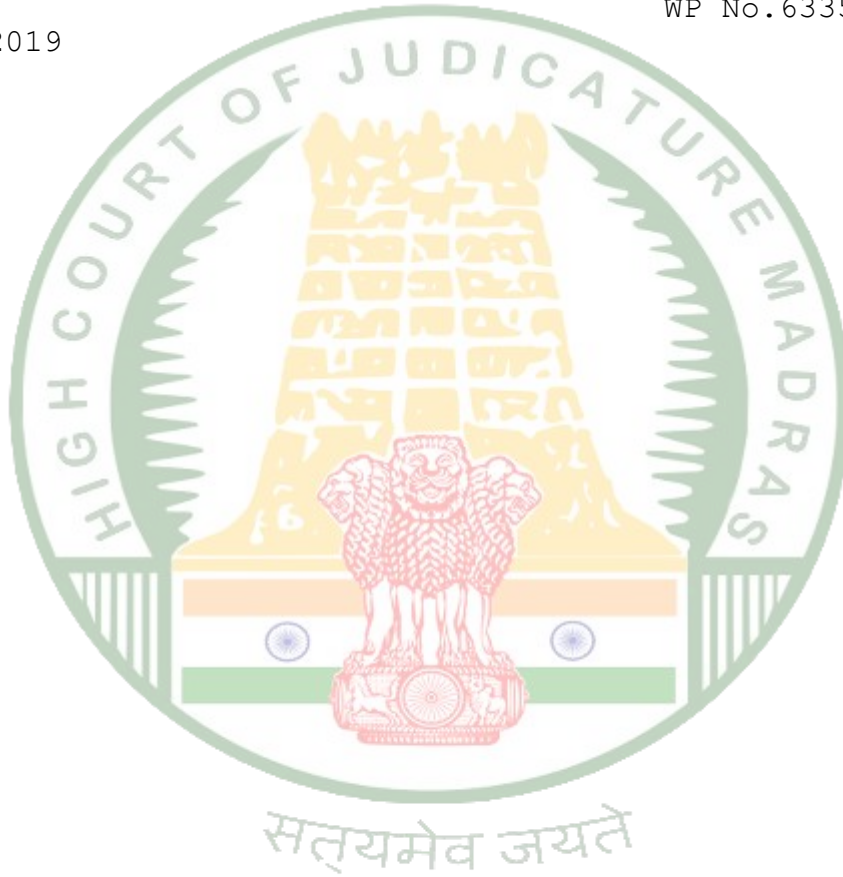
4.The Secretary to Government,
State of Tamil Nadu,
Industries Department,
Fort St. George,
Chennai-600 009.

5.The Director of Sugar
and Cane Commissioner,
State of Tamil Nadu,
No.69, Anna Salai,
Nandanam,
Chennai-35.

+1cc to Mr.R.Rajesh Vivekanathan, Advocate sr.no.83265
+1cc to Mr.G.Rajan, Advocate sr.no.83318
+1cc to Government Pleader sr.no.83674

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