

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.9658 of 2018

&

W.M.P.Nos.11575 and 11576 of 2018

E.I.D. Parry(India) Limited,
Sugar Factory, Ariyur,
Puducherry - 605 102.

E.I.D. Parry(India) Limited,
Represented by its Senior Manager (Legal),
Having its registered office at:
Dare House,
Parry's Corner,
Chennai - 600001, Tamil Nadu. Petitioner

Vs

1. The Union of India,
Rep.by the Secretary to Government,
Ministry of consumer Affairs,
Food and Public Distribution,
Krishi Bhavan, New Delhi - 110001.
2. The Joint Secretary,
Ministry of consumer Affairs,
Food and Public Distribution,
Krishi Bhavan, New Delhi - 110001.
3. The Director (SDF),
Department of Food and Public Distribution,
Ministry of Consumer Affairs, Food & Public Distribution,
Krishi Bhavan,
New Delhi - 110001.
4. The Chief Director - Sugar,
Ministry of Consumer Affairs,
Food and Public Distribution,
Krishi Bhavan,
New Delhi - 110001.

5. The Deputy Secretary/SDF,
Ministry of Consumer Affairs,
Food & Public Distribution,
Directorate of Sugar (DOS),
Krishi Bhavan,
New Delhi - 110001.
6. Jr.Tech Officer(ST),
Ministry of Consumer Affairs,
Food & Public Distribution,
Krishi Bhavan, New Delhi - 110001.
7. New Horizon Sugar Mills Ltd.,
Ariyur, Kendamangalam Post,
Pondicherry - 605102.
8. Indian Bank,
No.288 MG Road,
Pondicherry Main Branch - 605001.
9. Assistant Accounts Officer/SPF,
Ministry of Consumer Affairs,
Food & Public Distribution,
Krishi Bhavan, New Delhi - 110 001. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records of the 6th respondent in its letters bearing the following references letter number File 3-1(Ariyur)/2015/Trade/84, File 4-1(Ariyur) (Vol II)/2015-Trade/140 and consequential letters in File No 4-1(Ariyur)/2015-Trade-142 dated 28.03.2016, 30.09.2016 and 30.09.2016 respectively whereby sums of Rs.7,14,000, Rs.15,30,000 and Rs.20,20,000 payable as subsidies were adjusted against the alleged LSPEF dues and a further balance sum was demanded and collected under the impugned demand of the 9th Respondent dated 08.02.2017 bearing No.9-30/2017-SPFA/cs and quash the same as arbitrary and illegal and consequently direct the 1st and 2nd respondents to refund the total sum of Rs.70,12,507.78 together with interest at such rate as this Hon'ble court may deem appropriate in the facts of the present case at a minimum of 9% p.a from the date of the wrongful deduction/payment until date of payment by the respondents and direct the respondents to extend the full benefits of the notification No.G.S.R.127(E) dated 27.02.2015 issued by the 1st respondent to the petitioner without in any manner adjusting alleged LSPEF dues payable by the 7th respondent herein.

For Petitioner : Mr.R.Parthasarathy
For Respondents: Mr.K.Srinivasamurthy,
Central Govt.Standing Counsel
for R1 to R4
: Ms.T.Geethanjali for R8
: No Appearance for R5, R6, R7 and R9

O R D E R

The learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition. He has also given a letter dated 21.08.2018 to the Registry to that effect.

2. In view of the same, the writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

// True Copy//

Sub Assistant Registrar

gsk/bkn

To

1. The Secretary to Government,
The Union of India,
Ministry of consumer Affairs,
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+1cc to Mr.R.Parthasarathy, Advocate, Sr.No.57979
+1cc to Mr.K.Srinivasamurthy, Advocate, Sr.No.57858
+1cc to M/s.Aiyar and Dolia, Advocate, Sr.No.59243

W.P.No.9658 of 2018

GMI (CO)
RMP (25/09/2018)

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