

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.22249 of 2010

and

MP.No.1 of 2010

Wellington Reservoir Farmers Association,  
Rep. by its Secretary, No.341, Main Road,  
Pennadam, Cuddalore District. .... Petitioner

Vs.

1. The Joint Director of Agriculture,  
Ex-officio Cane Inspector,  
Kondu Salai, Cuddalore - 1.
2. The Assistant Director of Agriculture,  
Ex-Officio Cane Inspector,  
Nallur - 606 302, Cuddalore District.
3. The Commissioner of Sugars,  
690 EVR Building,  
Anna Salai, Nndanam,  
Chennai - 35.
4. Sri Ambiga Sugars Pvt. Ltd.,  
Rep by its Managing Director,  
Pennadam, Cuddalore District. ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to implement the execution of prescribed agreement between the petitioner and the 4<sup>th</sup> respondent without any deviation as per the sugar Cane Control Order, 1966 and the Madras Sugar Factories Control Act 1949.

For Petitioner : Mr.K.M.Vijayan Associates

For R1 to R3 : Mr.J.Ramesh, AGP

For R4 : Mr.R.Parthasarathy

O R D E R

The prayer made in this writ petition is to issue a mandamus, directing the respondents 1 and 2 to implement the execution of the prescribed agreement between the petitioner and the 4<sup>th</sup> respondent without any deviation as per the sugar Cane Control Order, 1966 and the Madras Sugar Factories Control Act 1949.

2. Upon notice, the first respondent filed a counter affidavit dated 28.11.2011 inter alia, stating that the Sugarcane (Control) Order, 1966 has not mandated any agreement between a sugarcane grower in a reserved area and the sugar mill and no format has been prescribed in Control Order for this purpose and that, the cane registration agreement referred in Section 10 of the Madras Sugar Factories Control Act, 1949 is not in force, since the sections from 6 to 13 of the Act have become redundant, consequent on the issue of Sugarcane (Control) Order, 1966 issued under the provisions of Central Act i.e., Essential Commodities Act, 1955.

3. Today, when the matter came up for hearing, the learned counsel appearing for the respective parties fairly submitted that the relief sought for herein has become infructuous and hence, nothing survives for adjudication in this writ petition.

4. Recording the averments made in the counter affidavit filed by the first respondent and the submissions so made by the learned counsel for the respective parties, this writ petition stands closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Audit)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

rk/av

To

1. The Joint Director of Agriculture,  
Ex-officio Cane Inspector,  
Kondur Salai, Cuddalore - 1.
2. The Assistant Director of Agriculture,  
Ex-Officio Cane Inspector,  
Nallur - 606 302, Cuddalore District.

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3. The Commissioner of Sugars,  
690 EVR Building,  
Anna Salai, Nndanam,  
Chennai - 35.

+1cc to Mr.R. Parthasarathy, Advocate SR.No.48558

+1cc to Government Pleader SR.No.48929

GMV (18/09/2018)

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