

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.12709 of 2010

and MP.Nos.1 & 2 of 2010

Sri Maruthi Modern Rice Mill,  
Rep. by its Proprietor,  
K.C.N.Navaneetha Chettiar

... Petitioner

Vs.

1.The Chairman Cum Managing Director,  
Tamil Nadu Civil Supplies Corporation,  
Thambusamy Street, Kilpauk,  
Chennai - 10.

2.The Regional Manager,  
Tamil Nadu Civil Supplies Corporation,  
Kancheepuram Region,  
Kancheepuram.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No. RC. B1/1576/08, dated 10.6.2010 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.Selvanaayagam

ORDER

The petitioner has come up with the present writ petition to quash the order dated 10.06.2010 passed by the second respondent.

2.According to the petitioner, they were appointed as a hulling agent by the Tamil Nadu Civil Supplies Corporation and has been working as such, without any remarks. For supply of paddy for the purpose of hulling, the petitioner deposited Rs.3 lakhs by way of cash and gave bank guarantee to the tune of Rs.19 lakhs to the respondent. While so, on 26.09.2008, the respondent authorities seized a lorry from the petitioner rice mill on the ground that the petitioner illegally transported rice bags from Thimmavaram to Maduranthagam, due to which, they stopped the supply of paddy to the petitioner rice mill. Though the second respondent conducted an enquiry and submitted a

report to the effect that the petitioner has not committed any irregularities, the first respondent passed the order stopping the supply of paddy to the petitioner's rice mill. Hence, this writ petition.

3.However, when the matter was taken up for consideration, the learned counsel for the petitioner fairly submitted that due to efflux of time, the petitioner may be given liberty to approach the respondents with a fresh representation seeking refund of the deposits made for supply of paddy for hulling purpose, for which, the learned counsel appearing for the respondents has no serious objection.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court disposes of this writ petition, granting liberty to the petitioner to approach the respondents with a fresh representation along with the required documents within a period of two weeks from the date of receipt of a copy of this order. On such approach, the respondents are directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-  
Assistant Registrar (CS-VII)

// True Copy//

Sub Assistant Registrar

To

+1 cc to MR.C.PRAKASAM, Advocate SR.No.41206

+1 cc to Mr.V.Selvanayagam, Advocate SR.No.41138

W.P.No.12709 of 2010

CP (CO)  
SMI/28.08.2018

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