

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.01.2019

CORAM

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

W.P.No.33355 of 2005

and

W.M.P.No.36323 of 2005

M/s Bannari Amman Sugars Limited
Represented by its Company Secretary
C.Palaniswamy

.. Petitioner

vs

1.Union of India
Represented by the Secretary,
Ministry of Consumer Affairs,
Food & Public Distribution,
Government of India,
Krishi Bhavan,
New Delhi 110 001.

2.Chief Director,
Directorate of Sugar,
Ministry of Consumer Affairs,
Food & Public Distribution,
Government of India,
Krishi Bhawan,
New Delhi 110 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, forbearing the respondents from imposing any restrictions on manufacture or sale and supply of free sale sugar.

For Petitioner : Mr.V.Kalyanaraman
for M/s Aiyar & Dolia

For Respondents: Mr.B.Ullasavelan

O R D E R

The relief sought for by the petitioner is to forbear the respondents from imposing any restrictions on manufacture or sale and supply of free sale sugar.

2. The writ petitioner is a Sugar manufacturing Company and the grievances of the writ petitioner is that the respondents are imposing certain restrictions in the supply of sugar to the places outside the State of Tamilnadu.

3. This Court is of an opinion that manufacturing of sugar, supply and free sale of sugar are governed by the control orders, Rules and various other Statues. All such manufacturing units supply of products are to be controlled by the State, in the manner known to law. The Company cannot claim that manufacturing and supply to be done at their whims and fancies and as per their own choice.

4. Undoubtedly, the Government enacted policies in the matter of manufacturing certain products and to supply the same to the other States or to export the same. All such activities are governed under various Rules and Regulations and Statues, therefore, the very relief sought for in the present writ petition is innocuous and no such challenge or direction can be given to the writ petitioner directing exemption.

5. Thus, all the companies are subjected to the law in force in this land and accordingly, the petitioner's prayer in the present writ petition deserve no merit for consideration. The respondents are bound to follow Rule of law and manufacturing units are to be inspected by the authorities in the manner prescribed under law. This being the position, the learned Counsel for the writ petitioner firmly made a submission that the writ petitioner is also following the Rules and is a law abiding citizen. In this view of the matter, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

dua/ska

To

1.The Secretary,
Union of India,
Ministry of Consumer Affairs,
Food & Public Distribution,
Government of India,
Krishi Bhavan, New Delhi 110 001.

WEB COPY

2.Chief Director,
Directorate of Sugar,
Ministry of Consumer Affairs,
Food & Public Distribution,
Government of India,
Krishi Bhawan,
New Delhi 110 001.

+1cc to M/s.Aiyar & Dolia, Advocate, S.R.No.5938

W.P.No.33355 of 2005
and
W.M.P.No.36323 of 2005

KK (CO)

rrs 26/02/2019



WEB COPY