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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.12.2019

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.26688 of 2019

P.Soundararajan

..Petitioner

Vs

1 The Commissioner,
Sugar Department No.690,
Anna Salai, Nandanam,
Chennai-600 035.

2 The Managing Director
Kallakurichi-II, Co-operative Sugar Mill
Katchirapalayam, Chinna Salem Taluk,
Villupuram District.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 26.06.2019 within a stipulated time as this Court fixes.

For Petitioner : Mr.C.Praksam

For Respondents : Mr.Balaramesh
Special Government Pleader for R1

: Mr. L.P.Shanmugasundaram for R2

ORDER

1.This writ petition has been been filed by the petitioner, praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 26.06.2019 within a stipulated time as this Court fixes.

2.The case of the petitioner is that the petitioner is an agriculturist and having own patta land situated in S.No.225/1, Kadathaur Village, Chinna Salem Taluk, Villupuram District and he is cultivating sugarcane crops in his lands and registered



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with the second respondent sugar mill and whenever, he harvested the sugarcane the same has been duly supplied to the second respondent sugar mill for the past several years from the petitioner's father's period. The second respondent was deducting 5% from the sale proceed amount by way of trash in every year. But for the year 2017-18 the second respondent deducted 11% from the petitioner's sugar cane price as trash cutting. The grievance of the petitioner is that all other cooperative sugar mills were deducting 5% for trash cutting, but the 2nd respondent alone was deducting 11 % trash cutting. It is claimed that the petitioner refused to meet the second respondent's illegal demands and hence they were wantonly deducting 11% trash from the petitioner's sugarcane price. The petitioner claims that he lost huge amount and his entire hard work for harvesting sugar cane became vain. The petitioner made a representation before the 1st respondent on 26.06.2019 and requested return of 6% of the trash cut amount to the petitioner after deducting 5% trash cut. However, till date no order has been passed by the respondents. Hence this writ petition.

3. Heard both sides.

4. It is stated that pursuant to the orders, enquiry has been conducted and the reports have also been submitted to the first respondent namely, the Commissioner, Sugar Department, Chennai.

5. The 1st respondent is also present before this Court today.

6. Without going into the merits of the petition, in view of the above, the writ petition is disposed of by requesting the first respondent to pass final orders on the enquiry on or before 10.01.2020 in accordance with law.

7. With this observation, the present writ petition is disposed of. No costs.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

jrs

To

1 The Commissioner,
Sugar Department No.690,
Anna Salai, Nandanam,
Chennai-600 035.



2

The Managing Director
Kallakurichi-II, Co-operative Sugar Mill
Katchirapalayam, Chinna Salem Taluk,
Villupuram District.

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- +1 CC to Mr.C.Praksam, Advocate sr 102952.
- +1 CC to Mr.L.P. Shanmuga Sundaram, Advocate sr 102369
- +1 CC to Govt. Pleader sr 102516 & 102494.

WP.No.26688 of 2019

VBA (CO)
SP (20/01/2020)