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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.A.No.3583 of 2019
and CMP.No.23005 of 2019

- 1.The Ex-Officio Secretary to Government,
Food and Consumer Protection Department
Fort St.George,
Madras-9.
- 2.The District Revenue Officer,
Thiruvannamalai Sambvarayar District,
at Thiruvannamalai. ... Appellants/Respondents

Vs.

- 1.L.Kannan
- 2.Ranganathan
- 3.Vaikundan ... Respondents/Petitioners

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 30.03.2000 passed in W.P.No.9434 of 1993 on the file of this Court.

Prayer in W.P.9434 of 1993:

Petition under Article 226 of the Constitution of India, praying that in the circumstance stated therein, and in the affidavit filed therewith the High Court will be pleased to issue writ of certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st respondent in his G.O.Ms.No.601 corporation Food and Consumer Protection Department dated 14/12/92 and quash the same and consequently forbear the respondents from implementing the order of the 2nd respondent made in his proceeding Na.Ka.N2/46391/91 dated 30.10.91.



For Appellant : Mr.P.S.Sivashanmugasundaram
Special Government Pleader

JUDGEMENT

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(Judgement of the Court was delivered by M.SATHYANARAYANAN, J.)

The official respondents in the writ petition are the appellants and penalty of Rs.25,000/- was imposed upon the respondent / writ petitioner for transporting 155 bags of rice without any authorisation and the same was reduced to Rs.5,000/- vide impugned order dated 30.03.2000 passed in the Writ Petition.

2. Heard the submission of Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appearing for the appellant/official respondents in the writ petition.

3. The Writ Petition came to be allowed as early as on 30.03.2000 and the Writ Appeal was filed on 16.04.2004 and came to be numbered only on 24.10.2019. In the considered opinion of this Court, on account of passage of time, nothing remains to be adjudicated in this Writ Appeal and the learned Judge, in exercise of discretionary jurisdiction, thought fit to reduce the penalty. In the considered opinion of this Court, on account of passage of time and the merits also, this Court finds no infirmity or error on the face of the record and is of the considered view that no interference is required.

4. In the result, the Writ Appeal is dismissed confirming the order dated 30.03.2000 passed in W.P.No.9434 of 1993. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Ex-Office Secretary to Government,
Government Food and Consumer Protection,
Department, Fort St. George, Madras-9.



2.The District Revenue Officer,
Thiruvannamalai Sambvarayar District
at Thiruvannamalai.

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+1cc to the Government Pleader Sr.91155

W.A.No.3583 of 2019

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