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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.Nos.18969 & 18970 of 2011
and
M.P.Nos.1 & 1 of 2011

Kamalaveni Spinning Mills Pvt. Ltd.,
Rep.by its Managing Director,
S.Soundararajan,
S.F.No.644/2, M.P.Thottam,
Koovanuthur (PO),
Natham Road,
Dindigul – 624 003.

... Petitioner in both Wps.

Vs.

1.M/s.The Cotton Corporation of
India Limited,
(A Government of India Undertaking,
Ministry of Textiles)
No.1057, Trichy Road,
Ramanathapuram,
Coimbatore – 641 045.

2.The Cotton Corporation of India Ltd.,
(A Government of India Undertaking,
Ministry of Textiles)
SAKAR-I, 10th Floor,
Nr.Gandhigram Railway Station,
Near Nehru Bridge, Ashram Road,
Ahmedabad – 380 009.

3.The Government of India,
Ministry of Textiles,
Rep.by its Secretary,
Udyog Bhavan,
New Delhi – 110 011. ... Respondents 1 to 3 in
W.P.No.18969 of 2011

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4.M/s.The Cotton Corporation of
India Limited,
(A Government of India Undertaking,
Ministry of Textiles)
No.1057, Trichy Road,
Ramanathapuram,
Coimbatore – 641 045
...Ist Respondent in W.P.No.18970 of 2011

5.The Cotton Corporation of India Ltd.,
(A Government of India Undertaking,
Ministry of Textiles)
3rd Floor, W.B.Plaza, New Cotton Market,
Hubli – 580 029.
...2nd Respondent in W.P.No.18970

6.The Government of India,
Ministry of Textiles,
Rep.by its Secretary,
Udyog Bhavan,
New Delhi – 110 011. ...3rd Respondent in
W.P.No.18970 of 2011

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus forbearing the respondents from invoking the provisions of Contract Nos.CCI/AHD/MKTG/SALES/2010-11/43 dated 28.01.2011 and CCI/HBL/MKTG(Sales)/2010-11/22 dated 28.01.2011 and consequently, refrain the respondents from demanding any difference in price for the balance unlifted quantity of candy under the contract besides directing the respondents herein to refund the Earnest Money Deposit of the petitioner lying with the 1st respondent.

For Petitioner : M/s.Aiyar and Dolia
in both Wps.

For Respondent : M/s.Sarvabhauman Associates
No.1 in both Wps.

Respondent Nos.2 & 3: Served – No appearance
in both Wps.

COMMON ORDER

It is represented by the learned counsel appearing for the first respondent that subsequent to the filing of these writ

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petitions, an award dated 29.11.2016 has been passed against the petitioner in Arbitration Proceedings No.54 of 2011 in respect of the same subject matter. Recording the same, these writ petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.M/s.The Cotton Corporation of
India Limited,
(A Government of India Undertaking,
Ministry of Textiles)No.1057, Trichy Road,
Ramanathapuram, Coimbatore – 641 045.

2.The Cotton Corporation of India Ltd.,
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Nr.Gandhigram Railway Station,
Near Nehru Bridge, Ashram Road,
Ahmedabad – 380 009.

3.The Government of India,
Ministry of Textiles, Rep.by its Secretary,
Udyog Bhavan, New Delhi – 110 011.

4.The Cotton Corporation of India Ltd.,
(A Government of India Undertaking,
Ministry of Textiles) 3rd Floor,
W.B.Plaza, New Cotton Market,Hubli – 580 029.

+2cc to M/s.Sarvabhauman Associates, Advocate Sr.9697, 9889
+1cc to M/s.Aiyar & Dolia, Advocate Sr.9835

W.P.Nos.18969 & 18970 of 2011
and
M.P.Nos.1 & 1 of 2011

mgr[co]
srg 11/03/2020

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