

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P.No.31716 of 2019

K-1005-Tirupur Milk Producers Co-operative
Societies Association Limited,
Represented by its Chairman,
Kuppandampalayam,
Palladam Road,
Tirupur - 638 605.

... Petitioner

Vs

1.Aavin
Represented by its Managing Director,
Tirupur District Cooperative Milk Producers
Union Limited,
Milk Producers Union Limited,
Tirupur - 641 604.

2.The Commissioner,
Milk Production Management and Dairy
Development Department,
Aavil Illam,
Pasumpon Muthuramalinganar Salai,
Nandanam,
Chennai - 600 035.

3.General Manager,
Aavin,
District Collector Office,
Palladam Road,
Tirupur - 5.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the second respondent to consider the representation dated 24.08.2019 given by the Petitioners, to provide the transportation charges incurred in the course of distribution of milk, to provide and distribute Aavin milk only through the society and to restrain

first respondent from employing independent agents and distributing milk within the functional parameters allotted to the petitioner association by virtue of the Special bye-laws on the file of the Deputy Registrar, Milk Production Management and Dairy Development Department.

For Petitioner : Mr. V.Raghavachari

For Respondents : Mr. Bala Ramesh
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the second respondent to consider the representation made by the petitioner association on 24.08.2019.

2. The petitioner association was functioning as production and distribution unit till the year 1984 and thereafter, it was sold to Tirupur District Co-operative Milk Producers Union Limited. After 1984, the petitioner association is distributing milk at Tiruppur by virtue of allotment made through the special bye-laws.

3. The grievance of the petitioner is that the co-operative milk producers union has been employing independent distribution agents who are interfering with the functional parameters of the members of the petitioner association. The petitioner has also sought for arrears of commission. All these grievances were given as representation to the second respondent on 24.08.2019. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr. V.Raghavachari, learned counsel appearing on behalf of the petitioner and Mr. Bala Ramesh, learned Special Government Pleader, appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and limited relief that has been sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 24.08.2019 and deal with it on its own merits and in accordance with law and take a decision within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of the representation dated 24.08.2019 and a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Managing Director,
Aavin,
Tirupur District Cooperative Milk Producers
Union Limited,
Milk Producers Union Limited,
Tirupur - 641 604.

2.The Commissioner,
Milk Production Management and Dairy
Development Department,
Aavil Illam,
Pasumpon Muthuramalinganar Salai,
Nandanam,
Chennai - 600 035.

3.The General Manager,
Aavin,
District Collector Office,
Palladam Road,
Tirupur - 5.

+1cc to Mr.R.Balaramesh, Advocate, S.R.No.21710
+1cc to Mr.V.Raghavachari, Advocate, S.R.No.21445
+1cc to the Special Government Pleader (Co-op), S.R.No.21633

W.P.No.31716 of 2019

RJI (CO)
RSI (22/05/2020)

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