



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.8453 & 8462 of 2020 and
WMP(MD) Nos.7840 & 7846 of 2020

M.Ayyanar
M.Ponnusamy

...Petitioner in W.P.(MD)No.8453/2020
...Petitioner in W.P.(MD)No.8462/2020

Vs.

The General Manager,
Vnr-1000 Virudhunagar District Co-operative
Milk Producers Union Ltd,
Srivilliputhur - 626 125
Virudhunagar District

...Respondent in both Writ Petitions

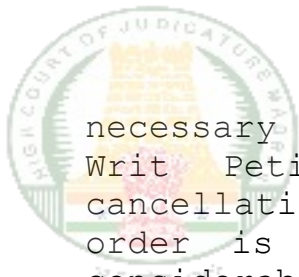
COMMON PRAYER: Writ petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders of cancellation of location allotted to the petitioners in Km 43/4 of Madurai to Kanniyakumari road near LIC office in Virudhunagar Town and Km 0/2 of Fathima Nagar Road, near Veilukuhanthamman Kovil in Virudhunagar Town, for erection of Aavin Booth in Na.Ka.No.496/Mkg-Agent/2019 and Na.Ka.No.497/Mkg-Agent/2019 dated 17.07.2020 respectively and quash the same and further direct the respondent to continue the supply of Aavin Milk and other Aavin products to the petitioners subject to the terms stated in Aavin Agency appointment orders in Na.Ka.No.496/Mkg/Agent/2019 and Na.Ka.No.496/Mkg/Agent/2019 dated 04.06.2020.

For Petitioner
(in both WPs) : Ms.S.Mahalakshmi
For Respondent
(in both WPs) : Mr.E.Marees Kumar

C O M M O N O R D E R

Heard the learned counsel for the Writ Petitioners and the learned Standing counsel for the respondents.

2.The petitioners have been allotted license to install Aavin retail outlet in the petition mentioned sites. the petitioners were given such licenses only after they were found successful in the tender process. The petitioners have also obtained No Objection Certificates from the concerned departments. The petitioners have also spent sizeable sum of money for creating



necessary infrastructure. While so, in the order impugned in the Writ Petition, no specific reason has been assigned for cancellation of what was already issued to them. The impugned order is also not preceded by any notice. Therefore I find considerable merit in the contention raised by the learned counsel for the petitioner.

3. The learned counsel for the respondents would submit that the respondents would withdraw the said communication and that the Writ Petition can be disposed of on the said ground.

4. Recording the said submission of the learned standing counsel for the respondent, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The General Manager,
Vnr-1000 Virudhunagar District Co-operative
Milk Producers Union Ltd,
Srivilliputhur - 626 125
Virudhunagar District

Common order made in
W.P. (MD) Nos. 8453 & 8462 of 2020 and
WMP (MD) Nos. 7840 & 7846 of 2020
03.08.2020

db(CO)

TR(17.08.2020) 2P 2C