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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.11245 of 2015

&

M.P.Nos.1 & 2 of 2015

Sree Karpaga Vinayagar Transport
Rep. by its Managing Partner
Mr.M.Karthick
No.42, Pillayar Koil Street
Pandiyan Nagar,
Gudiyatham
Vellore District

... Petitioner

Vs.

1.The Managing Director
Tamilnadu Civil Supplies Corporation
Chennai 600 010

2.The Regional Manager
Tamilnadu Civil Supplies Corporation
Kanchipuram
Kanchipuram

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records pertaining to the impugned order passed by the 2nd respondent made in Na.Ka.No.B.1/3089/12 dated 28.03.2014 and quash the same.

For Petitioner : Mr.A.G.Rajan

For Respondents : Mr.M.Rajendiran
Additional Government Pleader

O R D E R

The order dated 28.03.2014 passed by the 2nd respondent is sought to be quashed in the present Writ Petition.

2. The petitioner is Sree Karpaga Vinayagar Transport represented by its Managing Partner. The petitioner has entered into an agreement with the 2nd respondent, Tamil Nadu Civil



Supplies Corporation on 06.06.2012 in order to transport civil supplies goods to various centres.

3. In this regard, the respondents identified certain irregularities and found that the turnover statement submitted by the petitioner firm was bogus and accordingly they have arrived at a conclusion that the petitioner has committed certain irregularities. In view of the said allegations, the petitioner was black listed from the list maintained by the Tamil Nadu Civil Supplies Corporation.

4. The learned counsel for the petitioner made a submission that sufficient opportunity was not provided to the petitioner to defend their case. The order impugned states that the turnover statement issued is found to be bogus.

5. Under these circumstances, this Court is of the considered opinion that the petitioner may be provided with an opportunity for the purpose of re-consideration on account of efflux of time. The petitioner company was black listed in the year 2014 and the petitioner had already suffered more than six years.

6. This being the factum, the petitioner is at liberty to submit their application / representation before the respondents, who inturn is directed to consider the same on merits and in accordance with law and take appropriate decision as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to make a representation within a period of two weeks from the date of receipt of a copy of this order.

7. With these directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To,

1.The Managing Director
Tamilnadu Civil Supplies Corporation
Chennai 600 010



2.The Regional Manager
Tamilnadu Civil Supplies Corporation
Kanchipuram
Kanchipuram

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+1cc to the Government Pleader, S.R.No.68299

W.P.No.11245 of 2015

RGN(CO)
CT 21/01/2022