



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25-11-2021
CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
WP No.13426 of 2011
And
MP No.1 of 2011

M/s.Mahaveer Tea Company,
by its Proprietor,
R.Ashok Kumar,
No.137, Mint Street,
Sowcarpet,
Chennai - 600 079.

.. Petitioner

vs.

Tea Board of India Represented by
Assistant Director of Tea Development,
"Shellwood",
Club Road,
Coonoor,
PIN 643 101.

.. Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records relating to respondent's order made in Ref.No.6(332)/TMCO/CNR/11/362 dated 01.06.2011 and to quash the same.

For Petitioner : Mr.L.Chandrakumar

For Respondent : No Appearance

O R D E R

The order dated 01.06.2011 issued by the respondent, temporarily debarring the petitioner from buying teas from all the Auction Centres in South India from the date of issue, is under challenge in the present writ petition.

2. The petitioner states that it is a Company registered and assessed to all taxes. They were doing business for more than two decades and there was no allegation against the petitioner.

3. While-so, suddenly the respondent issued impugned order stating that setting out certain allegations and debarred the



4. The learned counsel for the petitioner reiterated that the temporary debar was imposed in violation of the principles of natural justice and the allegations set out in the order are false and incorrect, as the allegation is relating to the purchase of beverage products and not in respect of tea.

6. No doubt by virtue of an interim order passed by this Court, the petitioner-Company is continuing its business for the past about ten years and under these circumstances, this Court is of an opinion that the petitioner is entitled for an opportunity, as the said opportunity was not provided at the first instance by the respondent.

8. With the abovesaid directions, the writ petition stands allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Svn



To

The Assistant Director of Tea Development,
Tea Board of India,
"Shellwood",
Club Road,
Coonoor,
PIN 643 101.

+1 cc to Mr.L.Chandrakumar, Advocate Sr.NO. 61235
WP 13426 of 2011

KSM(CO)
A.SK(06.12.2021)