

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8662 of 2021

T.Kasinathan

... Petitioner

Vs

1. The Principal Secretary to Government,
Tamil Nadu Industrial Department,
St. George Fort,
Chennai - 35.
2. The Commissioner of Sugarcane Factory,
No.690, Annasalai Nandhanam,
Chennai - 35.
3. The Managing Director of Sugarcane Factory,
No.690, Annasalai Nandhanam,
Chennai - 35.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, directing the Respondents to take necessary steps to re-open the N.P.K.R. Ramasamy Co-operative Sugar mills Ltd., which is situated at Thalainayar, Mayiladadurai District based on the Petitioner's Representation dated 22.02.2021 within stipulated time fixed by this Hon'ble Court.

For Petitioner सत्यमेव जयते :Mr.S.M.Mohan Gandhi

For R1 to R3 :Mr.Bala Ramesh, GP

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ORDER

According to the Petitioner, M/s.N.P.K.R. Ramasamy Co-operative Sugar Mill Ltd., which is situated at Thalainayiru, Mayiladuthurai District, was started in the year 1986 and closed in the year 2016. The Executive Committee of the said factory as well as the local public made a request to the Government to reopen the said Mill for the benefit of the people in and around

the locality. Even the National Federation of Co-operative Sugar Mill, Delhi sent a preliminary report regarding rehabilitation and running of the said factory through its communication No.13412/Thi(Ma)Ko/2014 dated 25.05.2019 to the Government. However, no steps have been taken by the respondents to reopen the said Mill. In this regard, the petitioner made a representation dated 22.02.2021 to the respondents. Finding no response on the same, he has come up with this writ petition seeking appropriate directions to the respondents to consider the said representation and take necessary steps to reopen the Mill in question.

2.Today, when the matter was taken up for consideration, the learned Special Government Pleader appearing for the respondents submitted that the issue involved herein has already been considered by the First Bench of this Court and an order was passed in WP.No.8730 of 2021 on 08.04.2021, the relevant paragraphs of which, are usefully reproduced hereunder:

"2.In matters of the present kind, there can scarcely be a judicial order to direct the executive to take steps that pertain to matters of policy and economic considerations. There is no doubt that a large section of people may be benefitted by the mill being re-opened, but the viability of the mill, the future prospects, environmental considerations and many other factors go into the decision-making process in such regard that the Court is not equipped to undertake.

3.Accordingly, the petitioner is permitted to make a representation to the fourth respondent Commissioner of Sugar, whereupon such respondent will consider such representation in proper perspective. In the event the petitioner makes such a representation, indicating details as to why the mill should be re-opened, within four weeks from date, the Commissioner of Sugar will communicate a reasoned decision to the petitioner within eight weeks of receipt thereof.

4.W.P.No.8730 of 2021 is disposed of without any order as to costs."

3.In the light of the aforesaid order, this Court is of the opinion that no further order needs to be passed in this writ petition. Hence, this writ petition stands closed. No costs.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

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To

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+1cc to Mr.R.Balaramesh, Advocate SR.No.24921

+1cc to Government Pleader SR.No.27027

W.P.No.8662 of 2021

RSV(CO)

GMV(13/07/2021)

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