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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.04.2021

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.20938 OF 2018

T.Kasinathan,
State Secretary,
The Tamilnadu Sugarcane Growers Association
No.53, Narikudi,
Palakudi Post,
Thiruvidaimaruthur Taluk,
Thanjavur District.

... Petitioner

Versus

1. Government of Tamil Nadu
Rep. by its Chief Secretary,
Secretariat,
Fort St. George, Chennai-9.
2. The Additional Chief Secretary to Government,
Industries Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-9.
3. The Director of Sugar,
No.690, Anna Salai,
Nandanam, Chennai-600 035.
4. The District Collector,
Nagapattinam District,
Nagapattinam.
5. The Managing Director,
NPKKR Co-operative Sugar Mills,
Thalaignayar, Nagapattinam District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Mandamus directing the respondents 1 and 2 to take appropriate action against the mismanagement and illegalities done in the said NPKKR Co-operative Sugar Mills, Thalaignayar, Nagapattinam District and loss caused to the members of the Petitioner Association by considering the representation dated 16.03.2016.



For Petitioner : Mr.M.R.Jothimanian for
M/s.K.Balu

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For Respondents : Mr.D.Venkadesan, GA for R1,2 & R4
Mr.L.P.Shanmuga Sundaram, Spl.G.P.
for R3
Mr.Bala Ramesh, Spl.G.P. for R5

ORDER

This writ petition has been filed seeking a direction to respondents 1 and 2 to take appropriate action against the mismanagement and illegalities done in the said NPKKR Co-operative Sugar Mills, Thalaignayar, Nagapattinam District and loss caused to the members of the Petitioner Association by considering the representation dated 16.03.2016.

2. On an earlier occasion, when the matter came up before this Court, the fifth respondent had not settled the sanctioned amount by the Government. Therefore, the farmers who are the members of the petitioner Association had suffered non-payment of the arrears amount, for which, the learned Government Advocate submitted that pursuant to the order passed by the Commissioner of Sugar, Chennai-35, the outstanding due amount was paid to the farmers towards settlement of State Advised Price (SAP) arrears, for the year 2015-16 and 5 A cane price arrears for 2004-05 to 2008-09 by proceedings vide Rc.No.7589/Cane.1/2017 dated 02.02.2021 and the said proceeding is also placed before this Court for reference. The learned counsel for the petitioner seeks time to get instructions from the petitioner and on his request, the case was posted today.

3. When the matter is taken up today, the learned counsel for the petitioner informed this Court that the outstanding due amount of arrears to the petitioner Association was settled by the fifth respondent Society and therefore, no further orders are required. If there is any grievance by the petitioner, it is open to the petitioner to make a complaint, before the concerned authority to take appropriate action in accordance with law. It is brought to the notice of this Court that, W.P.No.8662 of 2021 had been filed by the petitioner in his individual capacity, namely T.Kasinathan, before this Court and the said writ petition was disposed of on 22.04.2021.



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4. In view of the above, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

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To

1. The Chief Secretary,
Government of Tamil Nadu
Secretariat,
Fort St. George, Chennai-9.
2. The Additional Chief Secretary to Government,
Industries Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-9.
3. The Director of Sugar,
No.690, Anna Salai,
Nandanam, Chennai-600 035.
4. The District Collector,
Nagapattinam District,
Nagapattinam.
5. The Managing Director,
NPKKR Co-operative Sugar Mills,
Thalaignayar,
Nagapattinam District.

+1cc to Mr.Bala Ramesh, Advocate SR.No.24920

+1cc to Mr.K.Balu, Advocate SR.No.24950

+1cc to Government Pleader SR.No.25301

W.P.No.20938 OF 2018

PL (CO)
GMY (22/07/2021)