



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD)No.9882 of 2021

and

W.M.P. (MD)No.7593 of 2021

R.Duraipandi

... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai.

2. The General Manager,
Madurai District Co-operative
Milk Producers Union Ltd.,
Sathamangalam Post,
Madurai - 625 020.

3. Ganesan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 2nd Respondent not to prevent the Petitioner from acting as Aavin milk selling agent without following the due process of law.

For Petitioner : Mr.R.Sevugaraja

For R1 and R2 : Mr.P.Thilakkumar
(Counsel on behalf of R1 & R2)

ORDER
(through video conference)

Mr. P.Thilak Kumar, Learned Counsel appearing on behalf of the Government of Tamil Nadu, takes notice for the First and Second Respondents.

2. The Writ Petition has been filed to direct the Second Respondent not to prevent the Petitioner from acting as an AAVIN milk selling agent without following due process of law and principles of natural justice.

3. Learned Counsel appearing for the First and Second Respondents has brought to the notice of this Court that the



licence granted to the Petitioner for carrying on the business in AAVIN products has been cancelled by order dated 28.05.2021 passed by the Second Respondent, which has been despatched to the Petitioner by Registered Post on 31.05.2021 and that the Writ Petition has been filed on 02.06.2021 without challenging that order. In view of the same, the Writ Petition cannot be entertained. However, it would not preclude the Petitioner from challenging that order dated 28.05.2021 passed by the Second Respondent and seek consequential reliefs before proper forum. Though obvious, it is clarified that no view has been expressed by this Court on the merits of the contentious disputes that has arisen between the parties.

In the result, the Writ Petition is dismissed with the aforesaid observation. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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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

1. The District Collector,
Madurai District,
Madurai.



2. The General Manager,
Madurai District Co-operative
Milk Producers Union Ltd.,
Sathamangalam Post,
Madurai - 625 020.

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KM(02.07.2021) 3P 3C