



WEB COPY

W.P(MD)No.10008 of 2021
and
W.M.P(MD).No.7714 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)No.10008 of 2021

and

W.M.P(MD) .No.7714 of 2021

Palanivelu

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of Co-operation,
Food and Consumer Protection,
Fort. St.George,
Chennai-600 009.
- 2.Tamil Nadu Civil Supplies Corporation Limited,
Represented by its Managing Director,
12, Thambusamy Road,
Kilpauk, Chennai-10.
- 3.The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Pudukkottai Region,
Pudukkottai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents from in any manner shifting Direct Purchase Centre (DPC) of Paddy (Centre No.831), Ambukovil Village, Pudukkottai District situated in Survey No.99, Ambukovil Village, to the proposed private land in Survey Nos.114/2A-2, 114/3A belongs to one Seemon and Raja, S/o. Ramasamy Pillai, Ambukovil, Pudukkottai District, by considering my representation submitted on behalf of the villagers dated 02.06.2021 within a time as may be fixed by this Court.

For Petitioner	: Mr.A.Mohan
For Respondents	: Mr.Veera Karthiravan Government Counsel



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.A.Mohan, the learned counsel for the petitioner and Mr.Veera Kathiravan, the learned Senior counsel appearing for the respondent-Government and Civil Supplies Corporation Limited.

2.The petitioner by way of this Public Interest Litigation seeks for a direction upon the respondents not to shift the Direct Purchase Centre of paddy, Centre No.831 to a private land in S.Nos.114/2A-2 and 114/3A belonging to one Seeman and Raja by considering the representation submitted on behalf of the Villagers dated 02.06.2021.

3.According to the petitioner, the land which has been presently chosen for locating the Direct Purchase Centre is a Government land measuring more than one hectare and it is very convenient for the farmers to bring the produce for sale in the said place whereas, now the third respondent is making arrangements to shift the Direct Purchase Centre to a very congested area that too owned by a private party. There is also an allegation that the owners of the said land have political links.

4.The location of a Direct Purchase Centre has to be convenient to the farmers and should have all necessary facilities. However, the Court cannot take a decision as to where it has to be located because such a decision has to be taken by the authorities. The Direct Purchase Centre is being operated by the Tamil Nadu Civil Supplies Corporation Limited. However, taking note of the controversy which has now been brought before this Court, we would direct the District Collector, Pudukkottai to order for an inspection and to the exact location of the Direct Purchase Centre and if it is found that the original place is more conducive, appropriately the Civil Supplies Corporation may be advised.

5.Therefore, we direct the District Collector, Pudukkottai to consider the petitioner's representation dated 02.06.2021, take note of the observations made in the preceding paragraphs and take a decision in accordance with law and the opinion of the farmers shall also be given due regard and intimate the same to the Tamil Nadu Civil Supplies Corporation.

6.Since the District Collector, Pudukkottai is not a party to this Writ Petition, we direct the Registry to serve a copy of this order on the office of the District Collector, Pudukkottai. The above direction shall be complied with within a period of three weeks from the date of receipt of a copy of this order.



7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tta/ps

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 Secretary to Government,
Department of Co-operation,
Food and Consumer Protection,
Fort. St. George,
Chennai-600 009.
2. The Managing Director,
Tamil Nadu Civil Supplies Corporation Limited,
12, Thambusamy Road,
Kilpauk, Chennai-10.
3. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Pudukkottai Region,
Pudukkottai.

Copy To:-

The District Collector,
Pudukkottai District.

+1 CC to M/s.SPLGP (SR-19273[F] dated 14/06/2021)

ORDER MADE IN
W. P (MD) No. 10008 of 2021
11.06.2021