



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .Nos.11974 & 11975 of 2021

and

W.M.P. (MD) .Nos.9391 & 9392 of 2021

S.Ganesan ... Petitioner in W.P.(MD).No.11974 of 2021

G.Bala Senthil Kumaran ... Petitioner in W.P.(MD).No.11975 of 2021

Vs.

1. The Commissioner for Milk Production
and Dairy Development / Managing Director,
Aavin Illam, Nandanam, Chennai.

2. The General Manager,
D.D.160, Dindigul District Co-operative
Milk Producers Union Limited,
No.9, East Govindapuram, Dindigul-624 001.

3. Ramanathan,
The General Manager,
D.D.160, Dindigul District Co-operative
Milk Producers Union Limited,
No.9, East Govindapuram, Dindigul-624 001.

... Respondents in both Writ Petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus, to call for records relating to the impugned proceedings issued by the second respondent in Ref.No/750/Mkg/2020, dated 09.07.2021 (received on 12.07.2021) and quash the same as illegal and consequently direct the first respondent to appoint an independent Committee to enquire into the matter covered in the impugned proceedings dated 09.07.2021.

For Petitioners : Mr.M.E.Ilango
For R-1 & R-2 : Mr.E.Mareeshkumar
Standing Counsel
(In both Writ Petitions)

COMMON ORDER

The subject matter of challenge in the present writ petitions is the impugned proceedings of the second respondent dated 09.07.2021 and for a consequential direction to the first respondent to appoint an independent Committee to enquire into the complaint.

2. These Writ Petitions have been filed by the petitioners by making various allegations against the second respondent and



infact, the second respondent has been added in his individual capacity by virtue of the allegations made against him. That apart, the petitioners are also having grievance in the constitution of the Committee against one of the member of the Committee. Since the petitioners had made complaints against him in all their earlier representations. Therefore, according to the petitioners, if the present Committee conducts the enquiry, it will go against the petitioners.

3. When the matter was taken up for hearing, the learned Standing Counsel appearing on behalf of the first and second respondents submitted that the enquiry is not conducted with any preconceived idea and the respondents want to find a solution, since they are facing lot of problems from the petitioners, and one other person and incurring loss. The learned Standing Counsel, therefore, submitted that the enquiry will be conducted by the first respondent and some time limit can be fixed for the completion of the enquiry.

4. Taking into consideration the facts and circumstances of the case and the stand taken by the learned Standing Counsel appearing on behalf of the first and second respondents, there shall be a direction to the first respondent to conduct an enquiry, after affording opportunity to the petitioner and other interested persons and final orders shall be passed within a period of six (6) weeks from the date of receipt of a copy of this order.

5. These Writ Petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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

The Commissioner for Milk Production
and Dairy Development / Managing Director,
Aavin Illam, Nandanam, Chennai.

+2 CC to M/s.E.MAREES KUMAR, Advocate (SR-22705[F] dated 15/07/2021)

+1 CC to M/s.M.E.ILANGO, Advocate (SR-22884[F] dated 16/07/2021)

W.P (MD) .Nos.11974 & 11975 of 2021

15.07.2021

RC(23.07.2021) 2P-5C

<https://hcservices.ecourts.gov.in/hcservices/>