



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2021

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P(MD)No.14415 of 2021

M/s.GKN Food Products,  
A Patnership Firm,  
Represented by its Partner  
Mr.N.Sivamurugeswara Pandian,  
S.F.No.892/3A, Sadayalpatti,  
Kodangipatti Village,  
Bodinayakkanur Taluk,  
Theni District.

... Petitioner

**Vs.**

The Commissioner of Sugar,  
Department of Sugar,  
Aavin Illam, 2<sup>nd</sup> Floor,  
Pasumpon Muthuramalingam Salai,  
Nandanam, Chennai - 600 035.

... Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to pass orders on the petitioner's representation dated 28.06.2021 and 23.07.2021 seeking to declare the petitioner's Jaggery Manufacturing Unit is exempted from the Sugarcane (Control) Order, 1966, in the light of the Sugarcane (Control) (Amendment) Order, 2007.

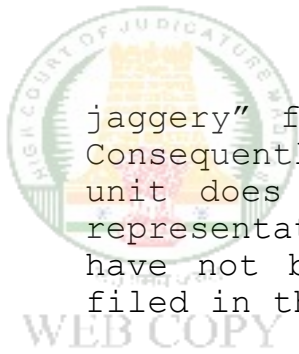
For Petitioner : Mr.R.J.Karthick  
For Respondent : Mr.P.Subburaj  
Counsel for state

**ORDER**

The petitioner seeks the consideration of his representation with regard to exemption from the Sugarcane (Control) Order, 1966, in the light of the Sugarcane (Control) (Amendment) Order, 2007.

2. The petitioner states that the electricity department, local body and other departments were approached in connection with the establishment of a jaggery manufacturing unit. The said respondents informed the petitioner that jaggery manufacturing cannot be undertaken in a reserved area without a licence from the Central Government under the Sugarcane (Control) Order 1966.

3. According to the petitioner, the Ministry of Home Affairs, Food and Public Distribution by order in S.O.1309(E)/Ess.Com./Sugarcane dated 31.07.2007 issued the Sugarcane (Control) (Amendment) Order, 2007 and thereby deleted the words "gur, gul and



jaggery" from the purview of the Sugarcane (Control) Order, 1966. Consequently, the petitioner claims that a jaggery manufacturing unit does not require a licence. However, it is stated that the representations of the petitioner dated 28.06.2021 and 23.07.2021 have not been acted upon till date. The present writ petition is filed in these facts and circumstances.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the sole respondent. He states that the petitioner's representation may be directed to be disposed of after taking into account the Sugarcane (Control) (Amendment) Order, 2007.

5. Accordingly, without going into the merits of the matter, the respondent herein is directed to consider the petitioner's representations dated 28.06.2021 and 23.07.2021 and dispose of the same by a reasoned order after taking into account the Sugarcane (Control) (Amendment) Order, 2007. Such reasoned order shall be passed within a period of four weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and any other person who would be affected by such order.

6. W.P.(MD).No.14415 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 of Sugar,  
Department of Sugar,  
Aavin Illam, 2<sup>nd</sup> Floor,  
Pasumpon Muthuramalingam Salai,  
Nandanam, Chennai - 600 035.

+1 CC to M/s. SPL GP ( SR-26490[F] dated 17/08/2021 )

W.P (MD) No.14415 of 2021  
16.08.2021

GC/25.08.2021/2P/3C