



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.4914 of 2018

S.Perumal

.. Petitioner

Vs.

1. The Managing Director, Aavin,
Vellore - Tiruvannamalai District,
Cooperative Milk Producers Union Ltd.,
Arcot Road, Sathuvachari,
Vellore 9.
2. The General Manager, Aavin,
Vellore - Tiruvannamalai District,
Milk Producers Co-operative Society Ltd.,
Sathuvachari,
Vellore 632 009.
3. The Special Officer, Aavin,
Vellore Collectorate,
Vellore.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to disburse the due amount of Rs.41,315/- (Forty One Thousand Three Hundred and Fifteen Rupees Only) by considering the petitioner's representation dated 15.03.2013.

For Petitioner : Mr.R.Sakthivel
for M/s.R.Jayaprakash

For RR1 & 2 : Mr.V.Kamaraj
for M/s.L.P.Shanmugasundaram

For R3 : Mr.U.Baranidharan
Additional Government Pleader (Co-op.)



O R D E R

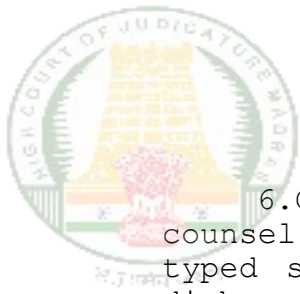
This Writ Petition is filed for a direction to the respondents to disburse the due amount of Rs.41,315/- (Forty One Thousand Three Hundred and Fifteen Rupees Only) by considering the petitioner's representation dated 15.03.2013.

2. Heard the learned counsel appearing for the petitioner, learned counsel appearing for the respondents 1 and 2 as well as learned Additional Government Pleader (Co-op.) appearing for the 3rd respondent and perused the entire materials available on record.

3. According to the petitioner, he was granted contract from the respondents Union for collection of milk for the period from 01.04.2008 to 31.03.2010. The petitioner deposited a sum of Rs.20,000/- as security deposit. After expiry of contract period, the respondents extended the contract for further period of six months. Even after expiry of extended period, the respondents did not release the vehicle. The petitioner filed Writ Petition No.9148 of 2011 for a direction to the respondents to release his vehicle. This Court, by the order dated 19.07.2011, directed the respondents to release the vehicle. As per the order of this Court dated 19.07.2011, the respondents released the vehicle of the petitioner. According to the petitioner, for the work done by him as per the contract, the respondents are liable to pay a sum of Rs.21,315/- as charges towards use of vehicle and the security deposit of Rs.20,000/- deposited by the petitioner. In such circumstances, the petitioner gave a representation dated 15.03.2013 to the respondents. The respondents have not paid the amount. Hence, the petitioner has come out with the present Writ Petition.

4. When the matter is taken up for hearing, Mr.V.Kamaraj, learned counsel appearing for the respondents 1 and 2 and Mr.Anbalagan, Deputy Manager of 2nd respondent Union is present before this Court. On instructions from the said Deputy Manager, the learned counsel appearing for the respondents 1 and 2 submitted that the security deposit of Rs.20,000/- has been deposited in the year 2012 and the charges for hiring of the vehicle will be paid to the petitioner within a week.

5. The learned counsel appearing for the petitioner, in reply to the same, submitted that the petitioner has not received the sum of Rs.20,000/- in the year 2012. The learned counsel appearing for the petitioner filed additional typed set of papers and referred to various documents filed in the typed set of papers and additional typed set of papers, including the proceedings of the 2nd respondent dated 10.05.2018 and 29.06.2018.



6.Considering the above and the submission of learned counsel on both sides and documents filed in the additional typed set of papers, the respondents 1 and 2 are directed to disburse the amount of Rs.41,315/- to the petitioner, considering the representation of the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is allowed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Managing Director, Aavin,
Vellore - Tiruvannamalai District,
Cooperative Milk Producers Union Ltd.,
Arcot Road, Sathuvachari,
Vellore 9.
2. The General Manager, Aavin,
Vellore - Tiruvannamalai District,
Milk Producers Co-operative Society Ltd.,
Sathuvachari,
Vellore 632 009.
3. The Special Officer, Aavin,
Vellore Collectorate,
Vellore.

+1cc to M/s.R.Jayaprakash, Advocate, S.R.No.14955
+1cc to the Special Government Pleader, S.R.No.15483

W.P.No.4914 of 2018

SKM[co]
NSK 28/03/2022