



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.6655 of 2022

and

W.M.P.[MD]No.5137 of 2022

WEB COPY

A.Ayyappan

... Petitioner

/Vs./

The General Manager,
Thanjavur District Cooperative Milk Producers Union,
Nanjikottai Road,
Thanjavur-615006.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent dated 09.03.2022 in Na.Ka.No.3427/V.Pa/2018/50 OP and quash the same and consequently directing the respondent to supply the milk as well as other allied products enabling the petitioner to commence the business at the Aavin Milk Parlour put up at Manojeeppatti Service Road near Medical College (Kurangu Mandapam), Thanjavur - Vallam Road, Thanjavur.

For Petitioner : Mr.M.P.Senthil
For Respondent : Mr.M.Senthil Ayyanar
Government Advocate

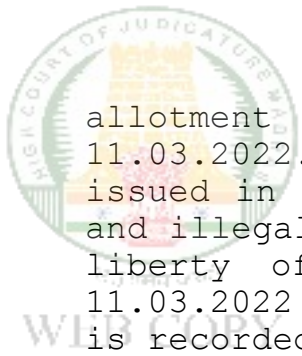
ORDER

This writ petition has been filed challenging the cancellation of allotment of Aavin Milk Parlour in favour of the petitioner under the impugned order dated 09.03.2022 passed by the respondent.

2.Heard Mr.M.P.Senthil, learned counsel appearing for the petitioner and Mr.M.Senthil Ayyanar, learned Government Advocate, who accepts notice on behalf of the respondent.

3.The learned Government Advocate appearing for the respondent, on instructions, would submit that this writ petition has now become infructuous, in view of the fact that subsequent to the impugned order, an allotment order has been issued to another third party on 11.03.2022. The allotment order dated 11.03.2022 is also placed before this Court.

4.According to the petitioner, no notice was received by the petitioner prior to the issuance of the impugned order cancelling his allotment and the petitioner is also not aware of the subsequent



allotment in favour of a third party by the respondent on 11.03.2022. According to him, the allotment order dated 11.03.2022 issued in favour of the third party by the respondent is arbitrary and illegal. The learned counsel appearing for the petitioner seeks liberty of this Court to challenge the allotment order dated 11.03.2022 passed in favour of the third party. The said statement is recorded.

5. After recording the submissions of the respective counsels, this Writ Petition is disposed of by granting liberty to the petitioner to challenge the allotment order dated 11.03.2022 passed by the respondent in favour of the third party and also challenge the impugned cancellation order dated 09.03.2022, which is the subject matter of this writ petition, in the manner known to him under law. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

11/04/2022

Sub Assistant Registrar(CS)

To

The General Manager,
Thanjavur District Cooperative Milk Producers Union,
Nanjikottai Road,
Thanjavur-615006.

order made in
W.P. [MD]No.6655 of 2022
11.04.2022

RS (11.04.2022) 2P-2C