



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7865 of 2022

Sivanesan

... Petitioner

/Vs./

The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Madurai Region,
Kuruvikkaran Salai,
Madurai - 625 020.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to disburse the petitioner Rs.3,55,144/- (Rupees Three Lakhs Fifty Five Thousand and One Hundred and Forty Four only) towards the sale price of 431 bags of paddy sold to the respondent through purchase bill dated 12.02.2022 by considering his representations dated 10.03.2022 and 06.04.2022.

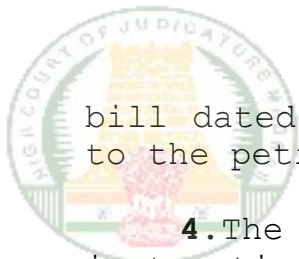
For Petitioner : Mr.C.Mayilvahana Rajendran
For Respondent : Mr.G.Mohan Kumar,
Standing Counsel.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to disburse the petitioner a sum of Rs.3,55,144/- (Rupees Three Lakhs Fifty Five Thousand and One Hundred and Forty Four only) towards the sale price of 431 bags of paddy sold by the petitioner to the respondent through purchase bill dated 12.02.2022 by considering the petitioner's representations dated 10.03.2022 and 06.04.2022, within a time frame to be fixed by this Court.

2. Heard Mr.C.Mayilvahana Rajendran, learned Counsel for the writ petitioner and Mr.G.Mohan Kumar, learned Standing Counsel, who accepts notice on behalf of the respondent.

3. The petitioner states that he has supplied paddy to the respondent valued at Rs.3,55,144/- (Rupees Three Lakhs Fifty Five Thousand and One Hundred and Forty Four only) based on the purchase



bill dated 12.02.2022 issued by the respondent. However, according to the petitioner, the sale price has not been paid till date.

4.The learned Standing Counsel appearing for the respondent, on instructions would submit it was later found that the petitioner is not a farmer and certificate produced by the petitioner from the Village Administrative Officer is a bogus document. The same is disputed by the learned counsel appearing for the petitioner.

5.The learned counsel appearing for the petitioner would submit that having supplied the paddy, either the respondent will have to pay the sale price for the same or else atleast return the paddy back to the petitioner, which has not been done so in the instant case.

6.This Court, after giving due consideration to the submissions made by the respective counsels, is of the considered view that no prejudice would be caused to the respondent, if the petitioner's representations dated 10.03.2022 and 06.04.2022 are considered on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing.

7.For the foregoing reasons, this Court directs the respondent to consider the petitioner's representations dated 10.03.2022 and 06.04.2022 seeking for payment of sale price for the paddy supplied by the petitioner to the respondent, as per the purchase bill dated 12.02.2022 or atleast return the paddy back to the petitioner and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of six [6] weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO

The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Madurai Region,
Kuruvikkaran Salai,
Madurai - 625 020.

+1 CC to M/s.C. MAYIL VAHANA RAJENDRAN, Advocate (SR-21653[F]
dated 27/04/2022)

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-20871[F]
dated 25/04/2022)

order made in
W.P. [MD]No.7865 of 2022
Dated:
25.04.2022

SG(CO)
GC(16.05.2022) 3P 4C