

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CRP(MD)Nos.1022 to 1024 of 2022
and
CMP(MD)Nos.4073, 4078, 4079, 4081 of 2022

The Tamil Nadu Civil Supplies Corporation Ltd.,
Rep. by its Managing Director,
No.12, Thambusamy Road,
Kilpauk,
Chennai – 600 010.

: Petitioner in all CRPS

Vs.

1.ASPT Balakrishnan

2.M/s.Zinc Foods Pvt Ltd.,
Rep. by its Director,
3/127-D-1, Swamy Nagar,
Salem Road,
Namakkal – 637 001.

3.M/s.Arnica Enterprises Pvt Ltd.,
Rep. by its Director,
First Floor, Harini Complex,
Perundurai Road,
Thindal Medu,
Erode – 638 012.

4.Sikkandar Syed Kathar

: Respondents in all CRPs

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India to call for the records pertaining to the orders dated 20.04.2022 passed by the learned Principal District Judge, Dindigul, in I.A.Nos.1 to 3 of 2022, respectively, in O.S.No.156 of 2022 and set aside the same.

For Petitioner : Mr.Kabir Khan,
Senior Counsel
for Mr.G.Mohan Kumar

For Respondents : Mr.Balaji for R.1

Mr.Meenakshi Sundaram,
Senior Counsel
for Mr.R.Senthil for R.2

Mr.H.Arumugam for R.3

Mr.M.Ajmal Khan,
Senior Counsel
for Mr.N.Shanmugaselvan for R.4

COMMON ORDER

The Tamil Nadu Civil Supplies Corporation Limited is the petitioner herein. They have entered into a contract dated 07.01.2020 with the respondents 2 & 3 herein for the movement of goods. The respondents 2 & 3, in turn, have entered into sub-contract and issued work orders on 10.01.2020 and 18.01.2020, respectively, with the first respondent for the movement of goods.

2. According to the first respondent, the respondents 2 & 3, instead of assigning the transportation works to him, have entered into a new contract with the fourth respondent for the transportation works. Therefore, he filed a suit in O.S.No.156 of 2022 before the Principal District Court, Dindigul, seeking compensation; permanent injunction not to terminate any contract, not to modify or delete the method of operation and transportation, not to appoint any new transport contractor. The first respondent has also filed three interlocutory applications in I.A.Nos.1 to 3 of 2022 seeking interim injunction and the learned Principal District Court, Dindigul, by order dated 20.04.2022, has granted an order of ad-interim injunction. Aggrieved over the same, the petitioner / Tamil Nadu Civil Supplies Corporation [TNCSC] has moved the instant revision petitions.

3. When the civil revision petitions came up for admission, this Court has raised a plea as to how the first respondent, who is an alien to the agreement entered into between TNCSC and the respondents 2 & 3, has filed a suit and obtained an interim order of injunction as against TNCSC, causing huge loss to the Corporation. The matter was thereafter argued in detail and was subsequently adjourned.

4.Today, it is represented by the learned Counsel appearing for the first respondent that they have not pressed the suit and as such, the suit in O.S.No.156 of 2022 was dismissed as not pressed on 27.07.2022.

5.Since the very suit itself is no more, nothing survives for further adjudication and accordingly, these civil revision petitions stand closed. No costs. Consequently, connected miscellaneous petitions stand closed.

Index : Yes / No
Internet : Yes
gk

02.12.2022

To

The Principal District Judge,
Dindigul.

CRP(MD)Nos.1022 to 1024 of 2022

B.PUGALENDHI, J.

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