



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12096 of 2022

and

W.M.P(MD)Nos.8612 and 8616 of 2022

Sathrak

... Petitioner

Vs

1.The Assistant Director,
Khadi and Village Industries,
Collector Office Campus, Nagercoil,
Kanyakumari District.

2.Marthandam Bee Keeper's
Co-operative Society Limited, No.2050,
Represented by its President,
Marthandam-Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings of the first respondent in Na.Ka.No.251/2017/C dated 02.06.2022 and the consequential order passed by the second respondent on 08.06.2022 and quash the same as illegal and further direct the respondents to disburse the value of 2000 kilograms of honey purchased from the petitioner on 17.03.2022 vide credit/purchase bill No.481 considering the petitioner's representation, dated 02.05.2022.

For Petitioner : Mr.Jerin Mathew
For Ms.K.A.Revathi

For Respondents : Mr.Raghuvaran Gopalan
Standing Counsel for R.1

Mr.M.Senthil Ayyanar
Government Advocate for R.2

ORDER

Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the first respondent and the learned Government Advocate appearing for the second respondent Society.



2. The petitioner's claim is that he has not been paid money for the honey supplied by him on 17.03.2022. The stand of the respondents is that the petitioner was removed from primary membership of the second respondent Society in the year 2018, following his conviction in an embezzlement case. The petitioner, as on date, is not a member of the Society. Therefore, he could not have supplied honey to the Society. It appears that the petitioner's wife is the present President of the second respondent society and that is how, the supply appears to have been made.

3. The learned counsel appearing for the second respondent states that honey supplied by him has been kept intact and they are ready to return the same immediately.

4. Recording the said submission, the second respondent is directed to return the Honey supplied by the petitioner within few days from the date of receipt of a copy of this order which has been passed based on the instructions given by the Secretary of Society.

5. The petitioner's counsel would add that the Secretary cannot act contrary to the directives of the President. I am, however, not impressed with this submission. As rightly pointed out by the learned Standing Counsel for the first respondent, when the petitioner is not even a member of the Society, the question of accepting the supply from him does not arise at all.

6. Accordingly, the writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To

- 1.The Assistant Director,
Khadi and Village Industries,
Collector Office Campus, Nagercoil, Kanyakumari District.
- 2.The President,
Marthandam Bee Keeper's
Co-operative Society Limited, No.2050,
Marthandam-Post, Kanyakumari District.

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