



W.A. No.132 to 136 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 04.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR. JUSTICE P.B.BALAJI

W.A. No.132 to 136 of 2013
and MP.Nos. of 1, 2,2,2,2,2 3,3,3,3 of 2013

1.The Director of Sugar
No.690, Anna Salai
Periyar Building, 2nd Floor
Nandanam, Chennai 600 035.

2.The Additional Registrar/Special Officer
Tamil Nadu Co-operative Sugar Fedn Ltd
No.690, Anna Salai
Periyar Building, 5th Floor
Nandanam, Chennai 600 035.

3.The Special Officer
Kallakurichi II Co-operative Sugar Mills Ltd
Kallakurichi 606 202
Villupuram District.

.. Appellants in all the W.As.

Vs.

1.Navaneedham
2.M/s.Suraj Agimpex House
3rd Floor, St.Thomas Building
150, Luz Church Road, Mylapore
Chennai 600 004.



W.A. No.132 to 136 of 2013

3.The Puducherry Co-operative Sugar Mills Ltd

Lingareddy Palayam, Katterikuppam Post
Puducherry 605 502.

... Respondents in W.A.No.132 of 2013

1.S.Ravi

2.M/s.Suraj Agimpex House
3rd Floor, St.Thomas Building
150, Luz Church Road, Mylapore
Chennai 600 004.

3.M/s.Integrated Service Point
G.1, Kamala Lakshman Apartment
No.32, VOC Colony
Near Midhra Hospital
Anna Nagar East, Chennai 600 102.

4.Imcola Exports
Neelandri, 3rd Floor
No.9, Cenotaph Road
Alwarpet, Chennai 600 018.

... Respondents in W.A.No.133 of 2013

1.K.Poomalai

2.M/s.Suraj Agimpex House
3rd Floor, St.Thomas Building
150, Luz Church Road, Mylapore
Chennai 600 004.

3.M/s.Integrated Service Point
G.1, Kamala Lakshman Apartment
No.32, VOC Colony
Near Midhra Hospital
Anna Nagar East, Chennai 600 102.



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4.Imcola Exports

Neelandri, 3rd Floor

No.9, Cenotaph Road

Alwarpet, Chennai 600 018.

... Respondents in W.A.No.134 of 2013

1.P.Sakthivel

2.M/s.Suraj Agimpex House

3rd Floor, St.Thomas Building

150, Luz Church Road, Mylapore

Chennai 600 004.

... Respondents in W.A.No.135 of 2013

1.P.Murugesan

2.M/s.Suraj Agimpex House

3rd Floor, St.Thomas Building

150, Luz Church Road, Mylapore

Chennai 600 004.

3.M/s.Integrated Service Point

G.1, Kamala Lakshman Apartment

No.32, VOC Colony

Near Midhra Hospital

Anna Nagar East, Chennai 600 102.

4.Imcola Exports

Neelandri, 3rd Floor

No.9, Cenotaph Road

Alwarpet, Chennai 600 018.

... Respondents in W.A.No.136 of 2013



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WEB COPY Writ Appeals filed under Clause 15 of the Letters Patent against the order dated 19.10.2012 in W.P.Nos.23393, 25212, 25116, 24821 and 25250 of 2012 passed by the learned Single Judge of this Court.

For appellants in
all W.As. : Mr.R.Bala Ramesh

For respondents in
all W.As. : Batta due

COMMON JUDGMENT

(The Judgment of the Court was delivered by D.KRISHNAKUMAR, J)

Aggrieved by the order passed by the learned Single Judge in W.P.Nos.23393, 25212, 25116, 24821 and 25250 of 2012, dated 19.10.2022, these appeals have been filed by the Director of sugar.

2. The brief facts which are necessary for disposal of these appeals are as follows:



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The Special Officer of the Federation issued open auction-cum-tender notice dated 06.06.2012 for sale of 1 lakh MTs of molasses for the purpose of export to other counters. In the said proceedings, 1 lakh MTs of molasses were sold at a uniform price of Rs.1,410/- per MT to three companies viz., Suraj Agimpex House, Integrated Service Point Private Ltd., and Imcola Exports Ltd. However, in the neighbouring States, viz., Karnataka, Andhra Pradesh, Kerala and Maharashtra, the molasses are sold at the price of Rs.3,800/-, 4,300/- and Rs.4,400/- per MT. Thus, the sale of 1 lakh MTs to the three Companies at the rate of Rs.1,410/- per MT resulted in huge loss. Hence, the above Writ Petitions were filed to quash the open auction-cum-tender notice dated 06.06.2012 and for a direction to the official respondents to fix the sale price for molasses on par with the sale price fixed by the neighbouring States. The learned Single Judge disposed of the said Writ Petitions, directing the respondents 1 and 2 to conduct fresh auction for the remaining molasses by giving



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vide publicity and imposed cost on the above companies.

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Aggrieved over the same, the present appeals have been filed.

3. The learned counsel for the appellants fairly stated before this Court that as against the orders passed in the above Writ Petitions, Writ Appeals were filed before this Court in W.A.Nos.2532 to 2535, etc., batch of cases, and the same came to be allowed on 26.02.2013. Hence, nothing survives for consideration in these appeals and the same may be dismissed as infructuous.

4. Recording the above submission of the learned counsel for the appellants, these appeals are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J] [P.B.B., J.]
04.09.2023

Speaking order: Yes/No
Index : Yes/No
pvs



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To

The Puducherry Co-operative Sugar Mills Ltd.

Lingareddy Palayam, Katterikuppam Post

Puducherry 605 502.

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D.KRISHNAKUMAR, J.
and
P.B.BALAJI, J.

pvs

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