



WEB COPY

WP No.2413 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-03-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.2413 of 2013

And

MP Nos.1 to 3 of 2013

Sri Bannariamman Modern Rice Mill,
Represented by its Lease Holder,
O.P.Mariappan,
S/o.Palaniappan,
Palanigoundenpalayam,
Karattupalayam Post,
Gobichettipalayam Taluk,
Erode District.

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Tambusamy Street,
Kilpauk,
Chennai-10.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Erode.



3. The District Revenue Officer,
Erode,
Erode District.

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the second respondent in his proceedings Na.Ka.No.396/2011/P.S.2, dated 02.01.2013 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents-1 and 2 : Dr.K.Thirugnanam

For Respondent-3 : Mr.T.Arunkumar,
Additional Government Pleader.

ORDER

The relief sought for in the present writ petition is to call for the records relating to the impugned order passed by the second respondent in his proceedings Na.Ka.No.396/2011/P.S.2, dated 02.01.2013 and quash the same.

2. The petitioner is Sri Bannariamman Modern Rice Mill.



3. The petitioner is supplying Rice to the Tami Nadu Civil Supplies Corporation. The Tamil Nadu Civil Supplies Corporation supplied paddy to the Rice Mills for processing the same and to give back to the Civil Supplies Corporation.

4. In this regard, the petitioner entered into an agreement with the Civil Supplies Corporation and the said agreement, admittedly, was expired on 30.06.2015.

5. The learned counsel for the petitioner states that the question of supply of paddy at this length of time, would not arise at all. However, the respondent-Civil Supplies Corporation has to pay a sum of Rs.7,42,572/- to the petitioner in respect of the Rice supplied to the respondent-Civil Supplies Corporation.

6. In this regard, the impugned order states that in respect of the said amount, an interim order was obtained before the High Court. If that is the case, the petitioner has to pursue the remedy in the proceedings, if



any, pending before the High Court and if the proceedings are already disposed of, then the petitioner is at liberty to approach the Competent Authorities for seeking refund of the said amount or otherwise, on merits and in accordance with law.

7. With the abovesaid liberty, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

23-03-2023

Index : Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

1. The Managing Director,
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Kilpauk,
Chennai-10.
2. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Erode.
3. The District Revenue Officer,
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S.M.SUBRAMANIAM, J.

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