



W.P.No.8628 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2023

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.8628 of 2016

and

W.M.P.No.7675 of 2016

V.S.Elamaran

...Petitioner

-Vs-

1. The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Agriculture Department, Secretariat,  
Fort St.George, Chennai-9.
2. The Commissioner of Agricultural Marketing & Agri Business,  
Thiru. Vi.Ka.Industrial Estate, Guindy,  
Chennai-32.
3. The Secretary,  
Agriculture Market Committee,  
Nagoore Main Road, Kadambady,  
Nagapattinam & District 611 001.
4. The Superintendent,  
Regulated Market, Kilvelur-611 104.  
Nagapattinam District.

...Respondents

**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Declaration, to declare the demand and forcible collection of market fee in respect of agricultural produces Paddy



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and Grams for the transactions of purchase and sales in Kilvelur, Nagapattinam District as illegal, arbitrary, ultra vires and without jurisdiction and consequently directing the respondents to refund the amount of Rs.56,391/- forcibly collected towards market fee to the petitioner immediately and to forbear the respondents from resorting to demand and collect market fee for sale and transactions of Paddy, Grains within Kilvelur, Nagapattinam District in the absence of declaration of notified market area under Section 6(2) of the Act, 1987.

For Petitioner : Mr.G.Sankaran, Senior Counsel for  
Mr.S.Nedunchezhiyan

For Respondents :  
(for R-1 ) : Mr.J.Ravindran, AAG, assisted by  
Mr.P.Sanjay Gandhi, Govt.Advocate  
(for R-2 to 4) : Mr.V.Jayaprakash Narayanan

### **ORDER**

The learned counsel for the petitioner states that during the pendency of this writ petition, an amendment was issued to the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987. In view of the amendment effected, the cause in the present writ petition became vanished, and therefore, no further adjudication needs to be undertaken.

2.The learned counsel appearing on behalf of the Agricultural Marketing Committee brought to the notice of this Court that the issues



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were already considered and following (4) judgments are passed in this regard by this Court as a detailed order in the cases of

- (i) ***V.Murali Vs. State of Tamil Nadu CDJ 2019 MHC 3845,***
- (ii) ***Kachirapalayam Paddy & Rice Merchants Vs. The State of Tamil Nadu and others in W.P.No.1028 of 2019 dated 06.05.2021,***
- (iii) ***Polyhedron Vs.The State of Tamil Nadu and others in W.P.No.17519 of 2014 dated 31.01.2023, and***
- (iv) ***Thiruvavarur Agricultural Marketing Committee and Krishna Traders Vs. State of Tamil Nadu, (2015) 7Mad LJ 187.***

3.In view of the judgments cited supra and considering the fact that the amendment was also effected to the act, no further adjudication is required. Hence the writ petition stands dismissed as infructuous. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(sha)  
Index : Yes  
Speaking Order  
Neutral Citation : Yes

30.03.2023  
(½)



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**S.M.SUBRAMANIAM. J.,**

(sha)

To

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Rep. by its Secretary to Government,  
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