



W.P.Nos.29354 and 29377 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 20.06.2023

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.Nos.29354 and 29377 of 2017

and

W.M.P.Nos.31618, 31619, 31634 and 31635 of 2017

W.P.No.29354 of 2017

Subramania Siva Co-operative Sugar Mills

Workers Welfare Union,

Reg No.438/DRP

Rep.by its President, R.Boopathy,

S/o.Ramalingam,

Marukkampatti,

Pappireddypatti,

Dharmapuri District.

... Petitioner

..Vs..

1. State of Tamil Nadu rep by
The Principal Secretary,
Industries Department,
Secretariat,
Chennai.

2. The Commissioner of Sugar,
No.474, Anna Salai,
Nandanam, Chennai – 15.

3. The Managing Director,
Subramania Siva Co-op Sugar Mills, Gopalapuram,
Alapuram Post,
Pattireddipatti Taluk,
Dharmapuri District.



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4. The Managing Director,
N.P.K.R Co operative Sugar Mills,
Thalainayiru, Mayiladudurai,
Nagai District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the records, pertaining to the orders passed by the Second Respondent in Na. Ka. No. 10674/Sa tho2/2016 dated 09.10.2017 and 20.10.2017, quash the same and consequently direct the First Respondent to pass orders on the proposal given by the Second Respondent dated 16.03.2017 within a stipulated time.

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Dina Kooli Thozhilalar Sangam,
Reg.No.55//T.V.M
Rep. by the Secretary,
Cheyyar Co-operative Sugar Mills,
Anakkavur, Thenmandalam,
Thiruvannamalai District – 604407.

... Petitioner

..Vs..

1. State of Tamil Nadu rep by
The Principal Secretary,
Industries Department,
Secretariat,
Chennai.
2. The Commissioner of Sugar,
No.474, Anna Salai,
Nandanam, Chennai – 15.



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3. The Management,
Cheyyar Co-operative Sugar Mills Ltd.,
Anakkavur, Thenmandalam,
Thiruvannamalai District – 604407.

4. The Managing Director,
N.P.K.R Co operative Sugar Mills,
Thalainayiru, Mayiladudurai,
Nagai District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the records, pertaining to the orders passed by the Second Respondent in Na. Ka. No. 10674/Sa tho2/2016 dated 20.10.2017, quash the same and consequently direct the First Respondent to pass orders on the proposal given by the Second Respondent dated 16.03.2017 within a stipulated time.

For Petitioner
in both W.Ps : Ms. D.Geetha

For Respondents : Mr. R.P. Muruganraja,
in both W.Ps Government Advocate (for R1 & R2)

Mr.Balaramesh (for R3 & R4)

COMMON ORDER

These writ petitions have been filed to quash the orders passed by the Second Respondent in Na. Ka. No. 10674/Sa tho2/2016 dated 09.10.2017 and 20.10.2017 and to consequently direct the First



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Respondent to pass orders on the proposal given by the Second

Respondent dated 16.03.2017.

2. The second respondent by proceedings in Na.Ka.No.10674/Sa tho/2016 dated 09.10.2017 and 20.10.2017 directed the persons mentioned therein to work in the Sugar Mill of the third respondents.

3. The learned counsel for the third and fourth respondents submits that after filing of these Writ Petitions, all the persons directed to work in the Sugar Mill of the third respondents by the impugned order has attained the age of superannuation and that part of the prayer has become infructuous.

4. Insofar as directing the first respondent to pass orders on the proposal in R.C.No.12308/SL2/2007 given by the Second Respondent dated 16.03.2017 within a stipulated time is concerned, the learned Government Advocate appearing for the first and second respondents submits that subsequently, the first respondent by letter No.11278/MTC.2/2023-19 dated 01.12.2020 informed the second



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respondent that his proposal for regularisation of service of the aforesaid persons cannot be considered.

5. In the aforesaid circumstances, nothing remains for further consideration in these Writ Petitions. However, it is made clear that it would be open to the concerned persons to challenge the aforesaid letter dated 01.12.2020 sent by the first respondent to the second respondent, in the manner known to law as the same was brought to their notice only when the matter was taken up for disposal.

6. In view of the above, the Writ Petitions are dismissed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

20.06.2023

Index : Yes/No
Internet : Yes/No
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To

1. The Principal Secretary,
State of Tamil Nadu,
Industries Department,
Secretariat,
Chennai.



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2. The Commissioner of Sugar,

No.474, Anna Salai,

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3. The Managing Director,

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Alapuram Post,

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Dharmapuri District.

4. The Management,

Cheyyar Co-operative Sugar Mills Ltd.,

Anakkavur, Thenmandalam,

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V.BHAVANI SUBBAROYAN,J.

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