



W.P.(MD).Nos.6245 and 14199 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD). Nos.6245 and 14199 of 2023

Prayer in W.P(MD).No.6245 of 2023

V.Manoharan

... Petitioner

Vs.

- 1.The Union of India,
Rep.by its Secretary to Government,
Department of Commerce and Industry,
New Delhi-110 001.
- 2.The Spices Board,
(Ministry of Commerce and Industry Government of India)
Rep.by its Secretary,
Sugandga Bhavan,
NH Bypass, PB.No.2277,
Palarivattom Post,
Kochi, Kerala.
- 3.The Director (Marketing),
Spices Board,
Sugandga Bhavan,
NH Bypass, PB.No.2277,
Palarivattom Post,
Kochi, Kerala.



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4.The Assistant Director (Marketing),
Spices Board,
Kurangani Road,
Bodinayakanur,
Theni District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to take legal action against the private online unlicensed cardamom auctions conducted by private individuals based on the petitioner's representation dated 06.02.2023.

For Petitioner : Mr.Raja Karthikeyan

For Respondents :Mr.Vidhya Maheswaran
CGSC for R1
Mr.K.Govindhrajan
DGSI for R2 to R4

Prayer in W.P(MD).No.14199 of 2023

C.Ravi

... Petitioner

Vs.

1.The Union of India,
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New Delhi-110 001.



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- 2.The Spices Board,
(Ministry of Commerce and Industry Government of India)
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Kochi, Kerala.
- 3.The Director (Marketing),
Spices Board,
Sugandga Bhavan,
NH Bypass, PB.No.2277,
Palarivattom Post,
Kochi, Kerala.
- 4.The Assistant Director (Marketing),
Spices Board,
Kurangani Road,
Bodinayakanur,
Theni District.
- 5.M/s.Elachi Royal Private Limited,
No.290-B, Puttananickal,
Nerappelkada,
Kuzhitholu-685 551,
Kerala.
- 6.Idukki Progressive Spice Producer Company Limited,
IPSPCL Office,
Das Paradise Hotel,
(Near New Vijaya Hotel),
Opp.Bodi Bus Stand,
Bodinayakanur,
Theni District.



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7.Cardamom Action.Com
XVIII/226, Vechurettu Building,
Vandanmedu-685 551,
Kerala.

8.Elamalai Cardamom Trading Company,
Lakshmi Mahal,
Near Scism H.S.School,
Bodinayakanur,
Theni District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 and 3 to take legal action against the private online unlicensed cardamom auctions conducted by private individuals based on the petitioner's representation dated 05.04.2023.

For Petitioner : Mr.Raja Karthikeyan

For Respondents :Mr.Vidhya Maheswaran
CGSC for R1
Mr.K.Govindhrajan
DGSi for R2 to R4
Mr.ARM.Ramesh for R5
Mr.P.Ganapathi Subramaniam for R6
Mr.D.Malaichamy for R7
Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates for R8



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COMMON ORDER

These Writ Petitions have been filed seeking a direction to the respondents 2 and 3 to take action against the private online illegal cardamom auctions conducted by the private individuals, based on the representations of the petitioners dated 06.02.2023 and 05.04.2023.

2. The learned counsel appearing for the petitioners submits that the Government of India has framed Cardamom Licensing and Marketing Rules, 1987 for regulating the trade in Cardamom business as per the provisions available under Section 38 of the Spices Board Act, 1986. However, the private individuals are conducting online auction of Cardamom without the approval of the second respondent. Hence, the petitioners seek a direction to the respondents 2 and 3 for taking appropriate action to prevent illegal trading carried out against the provisions of the Section 38 of the Spices Board Act, 1986.

3. The learned Deputy Solicitor General of India appearing for the respondents 2 to 4 submits that the respondents 2 to 4 are strictly



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implementing the Rules and are also taking action wherever any private trade has been conducted in violation of the Rules.

4. Recording the submission made by the learned Deputy Solicitor General of India appearing for the respondents 2 to 4, these Writ Petitions are closed. There shall be no order as to costs.

22.09.2023

Index: Yes/No
Internet: Yes/No
ssb

To

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NH Bypass, PB.No.2277,
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4.The Assistant Director (Marketing),
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B.PUGALENDHI, J.

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