



W.P.(MD)No.16087 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.16087 of 2023

and

W.M.P.(MD)No.13478 of 2023

Perumal

... Petitioner

Vs.

1.The District Collector,
Thoothukudi, Thoothukudi District.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Thoothukudi, Thoothukudi District.

3.The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.

4.The Tahsildar,
Eral Taluk, Thoothukudi District.

5.Arunachalam

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the Direct Purchase



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Centre from the 5th respondent place and consequently, directing the respondents officials to shift the Direct Purchase Centre in a Government land or any suitable place as per G.O.(Ms)No.60, dated 16.07.2021 on the basis of the petitioner's representation dated 23.04.2023.

For Petitioner : Mr.S.T.Sasidharan Tamilkani

For R1, R3 & R4 : Mr.P.Thilak Kumar,
Government Pleader

For R2 : Mrs.S.Devasena,
Standing Counsel

ORDER

(Order of the Court was made by ***D.BHARATHA CHAKRAVARTHY, J.***)

This Public Interest Litigation is filed for a direction to the respondents 1 to 4 to remove the Direct Purchase Centre from the 5th respondent patta land and consequently, to shift it in any Government land or suitable place.

2.Mr.P.Thilak Kumar, learned Government Pleader takes notice on behalf of the respondents 1, 3 and 4 and Mrs.S.Devasena, learned Standing Counsel takes notice on behalf of the 2nd respondent. Since no adverse order is going to be passed as against the 5th respondent, notice to him is dispensed with.



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3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.The rule regarding locating of the Direct Purchase Centre reads as follows:-

“I. Setting up of the Direct Purchase Centres:

1.Direct Purchase Centres shall be located as far as possible in a suitable Government building or Government land including Government Undertakings at a location which is convenient to the farmers. In the absence of any such place, any other suitable site may be selected by the Collector.”

5.Therefore, it can be seen that as far as possible, it should be located in any Government building or Government land. In the instant case, on instructions, the learned Standing Counsel for the 2nd respondent submitted that the Direct Purchase Centre, which is functioning at the petitioner's village, is only temporary and after the season is over, it is already closed. Therefore, the rule itself would be applicable only when they are going to establish permanent Direct Purchase Centre. Even then at that time suitability will be looked into and thereafter, it will be established.



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6.Recording the same, this Writ Petition is closed. No costs.

Consequently, connected miscellaneous petition is closed.

(S.V.N., J.) & (D.B.C., J.)

04.07.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

1.The District Collector,
Thoothukudi, Thoothukudi District.

2.The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.

3.The Tahsildar,
Eral Taluk, Thoothukudi District.



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AND

D.BHARATHA CHAKRAVARTHY, J.

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