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W.P.(MD)NO.17280 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17280 of 2022 AND

W.M.P.(MD)No.12608 of 2022

The Virudhunagar Dhall Manufacturers &
Merchants Association,
255, Theppam East Bazaar,
Virudhunagar 626 001,
Rep. by its Secretary,
A.K.N.Chandramohan

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Agriculture and Farmers Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.
2. The Director,
Department of Agriculture Marketing & Agri Business,
100 Feet Road,
SIDCO Industrial Estate,
Guindy, Chennai – 600 032.
3. The Secretary,
Virudhunagar Market Committee,
Madurai Road,
Virudhunagar 626 001.

... Respondents

Prayer: Writ petition is filed under Article 226 of the
Constitution of India, to issue a Writ of Mandamus, forbearing



the respondents from levying market fee in respect of sale or purchase of Green Gram outside the notified market area viz., Virudhunagar Regulated Market.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.Veerakathiravan,
Additional Advocate General,
assisted by,
Mr.D.Gandhiraj,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the respondents.

2. The petitioners filed this writ petition as the market committee proposed to levy fee on the petitioner's transactions on the strength of G.O.(Ms).No.84 Agriculture and Farmers Welfare [AM2(1)] Department dated 23.04.2022. The members of the petitioner association are dealing in Green gram. G.O.(Ms)No.84 has been cancelled vide G.O. (Ms)No.1 dated 03.01.2023. Now the Green gram is not a



notified commodity. Therefore, nothing survives for further adjudication in this writ petition.

3. The writ petition is disposed of with a direction to the respondents that on the strength of G.O.(Ms)No.84 Agriculture and Farmers Welfare [AM2(1)] Department dated 23.04.2022, the respondents shall not interfere with the business of the petitioner herein. No costs. Consequently, connected miscellaneous petition is closed.

25.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Principal Secretary to Government,
Agriculture and Farmers Welfare Department,
Fort St. George, Secretariat, Chennai – 600 009.
2. The Director,
Department of Agriculture Marketing & Agri Business,
100 Feet Road, SIDCO Industrial Estate,
Guindy, Chennai – 600 032.
3. The Secretary,
Virudhunagar Market Committee,
Madurai Road, Virudhunagar 626 001.



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4

W.P.(MD)NO.17280 OF 2022

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.18093 of 2022

25.08.2023