



W.P(MD)No.19476 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19476 of 2015

and

M.P(MD)Nos.1 & 2 of 2015

C.Viyaja

... Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Joint Registrar (Co-operative),
O/o. Joint Registrar Co-operative Societies,
Madurai.

3.The District Supply Officer,
Madurai District,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.44003/2015/Ku-pol dated 29.09.2015 on the file of the first respondent and quash the same as illegal and consequently direct the first respondent to realLOT the public Distribution Shops to the petitioner within the time frame stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner is a member of Womens' Self-Help Group. They have been authorised to run as many as six fair price shops. The flying squad conducted inspection. The squad submitted its report dated 15.09.2015 alleging that in the fair price shops, goods were sold at excess rates. On that basis, the District Collector, Madurai issued impugned proceedings dated 29.09.2015 cancelling the permission granted to the petitioner to run the fair price shops.

3. The learned counsel appearing for the petitioner points out that this order was passed in violation of the principles of natural justice. The District Collector before passing the impugned order did not put the petitioner on notice.

4. The stand of the learned Additional Government Pleader is that based on the inspection report, the order was passed. That may be so but then it was



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incumbent on the part of the District Collector to have complied with the principles of natural justice. On this sole ground, the order impugned in this writ petition is set aside.

5. This writ petition is allowed. It is open to the first respondent to reinitiate step for cancellation, if deemed necessary. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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G.R.SWAMINATHAN, J.

MGA

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