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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2024

**CORAM :
THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

WP.No.803 of 2024

S.Udhayakumar

... Petitioner

VS.

1.The Director,
Department of Agricultural Marketing & Agriculture Business,
Guindy, chennai-600 032.

2.The Secretary,
Villupuram & Kallakurichi Regulated Market Committees,
Villupuram District,
Villupuram.

3.The Superintendent,
Manalurpet Regulated Market Committee,
Manalurpet,
Kallakurichi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ Mandamus directing the respondents to issue the Unified State License to the Petitioner based on the representation dated 12.12.2023.

For Petitioner : Ms.A.V.Bharathi

For Respondents : Mrs.Geetha Thamaraiselvan (for R1)
Special Government Pleader

Mr.C.Selvaraj (for R2 & R3)



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ORDER

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The petitioner has sought a mandamus directing the respondents to issue a Unified State License to the petitioner based on his representation dated 12.12.2023. The petitioner is an Agriculturist, who is engaged in selling the Agricultural commodities grown locally. An application was made by him for a Unified State License under the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987.

2.This license permits a holder to purchase all notified commodities in notified markets of the State at one go and is valid for three years. Such a license would facilitate the holder to participate in all processes related to the purchase of agricultural commodities, such as, e-trading, e-bidding, e-auctioning and others. The application for the license was made on 10.04.2023 by the petitioner under the name and style of Maruthi Traders.

3.Thereafter, the petitioner states that he has been running from pillar to post to obtain the license, but is unable to do so. He was shocked, he states, to receive proceedings bearing Na.Ka.No.87/2023 dated 04.09.2023 conveying to him that the license could not be processed on account of a pending criminal case. The petitioner immediately approached the Tamil Nadu Police Department and has obtained a certificate dated 29.11.2023 confirming that he is not found to be involved in any criminal case as per the records available with the Police Department. The petitioner



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would allege that communication dated 04.09.2023 has been issued by R3 mischievously and for extraneous purposes.

4.Mrs.Geetha Thamaraiselvan, has however, obtained written instructions to the effect that the application is currently under progress. She would assure the petitioner that communication dated 04.09.2023 has been eschewed as subsequently, by communication dated 20.12.2023, R3 has directed R2 to re-visit the application and has recommended the same. The application is now pending at the end of R2 to be forwarded to R1 for necessary orders.

5.In view of proceedings in Na.Ka.No.123/2023 dated 20.12.2023 recommending the petitioner for grant of Unified State License, there is no fetter for issuance of the same. Mandamus is issued to R1 to hear the petitioner and issue the license within a period of two (2) weeks from 19.01.2024, on which date the petitioner will appear before him at 10.30 a.m. with documents, if any, in support of his application.

6.This writ petition stands disposed in terms of this order. No costs.

11.01.2024

vs

Index:Yes/No

Speaking order

Neutral Citation:Yes



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To

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DR. ANITA SUMANTH,J.

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