



W.P.No.31782 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.11.2024

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.31782 of 2024

C.Kavitha

...Petitioner

vs.

1.The Aavin Commissioner,
Aavin Illam, TCMPF Ltd.,
3A, Pasumpon, Muthuramalinganar Salai,
Nandanam, Chennai – 35.

2.The District Collector,
Office of District Collector,
Kallakurichi, Kallakurichi District.

3.The General Manager,
Chinnasalem Milk Chilling Centre,
Chinnasalem, Kallakurichi District.

4.The Deputy General Manager,
Chinnasalem Milk Chilling Centre,
Chinnasalem, Kallakurichi District.

5.Eswaran

6.Venkatesan

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus seeking direction to the respondents 1



W.P.No.31782 of 2024

and 2 to consider the representation issued by the petitioner through website on 01.08.2024 and on 06.08.2024 through register post, consequently take appropriate departmental action against the respondent 5 & 6 within a reasonable time as fixed by this Court and pass such further orders.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.Abishek Murthy for R2
Government Advocate

ORDER

This writ petition has been filed seeking for issuance of Writ of Mandamus, seeking to direct the respondents 1 and 2 to consider the petitioner's representation through website on 01.08.2024 and on 06.08.2024 through register post and consequently take appropriate departmental action against the respondent 5 & 6 within the time frame fixed by this Court.

2. Heard, Mr.R.Nalliyappan, learned counsel for the petitioner, and Mr.Abishek Murthy, learned Government Advocate appearing on behalf of the second respondent.



W.P.No.31782 of 2024

3. The learned counsel for the petitioner would submit that the petitioner is engaged in providing water supply business through lorry on contract basis to the third respondent. The third respondent called for oral tender during summer to provide water to their Unit. While that being so, during the month of May 2024, the third respondent called for oral tender for supply of water through tanker lorry to their Unit and the value was fixed for a sum of Rs.1,000/- for supply 10,000/- liters of water. The learned counsel for the petitioner would further submit that the petitioner had quoted Rs.900/- for supply of 10,000/- liters. To the shock and dismay, the respondents 3 and 4 had allotted the said tender in the name of one Pachamuthu who did not even have a tanker lorry and thereafter, they had fixed the value of Rs.1,200/- to supply 10,000/- liters of water. On gaining knowledge about the illegal activities of the respondents 5 & 6, the petitioner made a detailed representation to the Chief Minister Cell and other authorities on 13.05.2024. The respondents 5 & 6 supplied water in their own lorry which stands in the name of a third person and supplied water for higher value than that of the lesser value quoted by the petitioner, thereby defrauding the Government fund. Thereafter, the petitioner further



W.P.No.31782 of 2024

made a representation through the official website of the respondent dated 01.08.2024 and another through Registered Post on 06.08.2024 to the respondents 1 & 2. Since, the Official respondents have not taken any steps on the said representation, the petitioner was constrained to file the present petition for above relief.

4. The learned Government Advocate appearing on behalf of the second respondent would submit that the petitioner's request will be considered by the respondents and appropriate orders will be passed within the time frame fixed by this Court.

5. I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record before this Court.

6. Taking into consideration the above submissions and without expressing any opinion on the merits of the case, this Court is inclined to direct the respondents 1 & 2 to consider the petitioner's request to consider



W.P.No.31782 of 2024

the petitioner's representations dated 01.08.2024 made through website and
and on 06.08.2024 through Registered Post and pass appropriate orders
within a period of eight (8) weeks from the date of receipt of a copy of this
order.

7. With the above direction, this Writ Petition is disposed of. No
costs.

07.11.2024

gba
Index : Yes/No
Speaking order : Yes/No
Neutral Citations : Yes/No

To

1.The Aavin Commissioner,
Aavin Illam, TCMPF Ltd.,
3A, Pasumpon, Muthuramalinganar Salai,
Nandanam, Chennai – 35.

2.The District Collector,

5/7



W.P.No.31782 of 2024

Office of District Collector,
Kallakurichi, Kallkurichi District.

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3.The General Manager,
Chinnasalem Milk Chilling Centre,
Chinnasalem, Kallakurichi District.

4.The Deputy General Manager,
Chinnasalem Milk Chilling Centre,
Chinnasalem, Kallakurichi District.

V.BHAVANI SUBBAROYAN,J.

gba

W.P.No.31782 of 2024



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W.P.No.31782 of 2024

07.11.2024