



Rev.Aplc.(MD).No.50 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.07.2024

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

and

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

REV. APLC (MD).No. 50 of 2024

& C.M.P.(MD) No.5896 of 2024

The Madurai Market Committee,

Rep. By its Secretary,

145-A, Anna Nagar,

Madurai District.

...Petitioner

-- VS--

1) The Commissioner,

Department of Agricultural Marketing and Agri Business,

CIPET Road, Thiru Vi.Ka. Industrial Estate,

Guindy, Chennai.

2) The Madurai Paddy Commission Agents Association,

Rep. By its Treasurer, R.Gopikannan,

Shop No.A1, Orient Market,

Mattuthavani, Madurai.

... Respondents

PRAYER: Petition filed under Order XLVII Rule 1 & 2 r/w Section 114 of



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the Civil Procedure Code to review the order dated 28.09.2022 passed in W.A.
(MD).No.1393 of 2011.

For Petitioner : Mr.Ravi Kannan

For Respondents : Mr.M.Mahaboob Fasil

ORDER

This Review Application has been filed by the second respondent in the Writ Appeal on the ground that certain vital facts were not brought to the notice of the Court at the time of hearing and as a result, the directions issued by this Court has caused prejudice to the second respondent.

2. We have heard the learned counsel for the review petitioner and the learned counsel, who appeared on behalf of the writ petitioner.

3. The learned counsel for the petitioner submitted that the parties are governed by the Terms and Conditions of contract and that they cannot wriggle out of such Terms and Conditions by attempting to pay the amount by misconstruing paragraph no.20 of the judgment passed in the Writ Appeal.

4. In our considered view, we have specifically taken note of the Agreement that has been entered into between the parties and we have stated



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in the judgment that it will be left open to the respondents to proceed further in accordance with the Agreement entered into with the concerned allottee.

This will only mean that the parties will be governed by the Terms and Conditions of the Agreement. Therefore, whatever grievance is attempted to be ventilated in the present petition, has already been addressed by us at paragraph no.20 of the judgment passed in the writ appeal.

5. Except making the above observations, no further orders are required in this review application and accordingly, the Review Application stands disposed of. No costs. Consequently, connected miscellaneous petition stands closed.

[J.N.B.J.,] [N.A.V.J.,]

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Index : Yes / No

Internet : Yes/ No

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J.NISHA BANU, J.

&

N. ANAND VENKATESH, J.

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To:

- 1) The Commissioner,
Department of Agricultural Marketing and Agri Business,
CIPET Road, Thiru Vi.Ka. Industrial Estate,
Guindy, Chennai.

- 2) The Treasurer,
The Madurai Paddy Commission Agents Association,
Shop No.A1, Orient Market,
Mattuthavani, Madurai.

Order made in
REV. APLC (MD).No. 50 of 2024

Dated:
04.07.2024