



W.P(MD)No.16850 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16850 of 2020

and

W.M.P.(MD)Nos.14078 and 14079 of 2020

P.Ramasamy

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Industries Department Secretariat,
Fort St.George, Chennai – 600 009.
- 2.The Commissioner of Sugars,
Tamil Nadu Sugar Federation,
Nandanam, No.690, Periyar Maligai,
Chennai – 600 035.
- 3.The District Collector,
Thanjavur District.
- 4.The Chief Executive,
Arignar Anna Sugar Mills,
Kurungulam West Post,
Thanjavur District.
- 5.The General Manager,
Kothari Sugar Mills,
Kattur, Trichy District.
- 6.G.S.Dhanapathy,
S/o. Sabapathy,



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Tamil Nadu State Secretary,
Bharatiya Krishak Samaj,
No.137, Kamban Nagar,
Pudhukottai – 622 003.

... Respondents

*(R6 is impleaded vide order dated 08.01.2024 in
W.M.P.(MD)No.1748 of 2021 in
W.P.(MD)No.16850 of 2020 by GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for records relating the impugned order of 2nd respondent by his proceedings in Rc.No.1985/Cane1/2020 dated 24.09.2020 under Table No.4 of the impugned order insofar as allotting the Taluk and Frikas of Pudukottai District, quash the same and consequently direct the 2nd respondent to re-allot the allotment made to 5th respondent under Table No.4 in favour of Arignar Anna Sugar Mills, Kurungulam, Thanjavur District.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.T.Villavankothai,
Addl. Government Pleader for R1 to R3.

Mr.S.Shaji Bino,
Addl. Government Pleader for R4.

Mr.J.Alaguram Jothi for R5.

Mr.D.Gurusamy for R6.



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ORDER

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Heard both sides.

2.By the impugned order, choice has been given to the individual farmer.

There was dispute as to whether the sugarcane grown in the cane area should be supplied to Arignar Anna Sugar Mills or Kothari Sugar Mills. Ultimately, the second respondent decided that the choice can be left to the concerned individual farmer himself. This stand of the second respondent is assailed in this writ petition.

3.The learned counsel for the petitioner would contend that when once the cane area has been declared, the supply should be made to the specified sugar mill.

4.In this case, when the authority himself has left the matter to the individual's choice, the question of the Writ Court interfering in the matter cannot arise. Only if there is compulsion, there can be cause of action for complaining. When choice has been given, I fail to understand as to why there is still grievance.



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5.The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

23.01.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The Principal Secretary to Government,
Industries Department Secretariat,
Fort St.George, Chennai – 600 009.
- 2.The Commissioner of Sugars,
Tamil Nadu Sugar Federation,
Nandanam, No.690, Periyar Maligai,
Chennai – 600 035.
- 3.The District Collector,
Thanjavur District.
- 4.The Chief Executive,
Arignar Anna Sugar Mills,
Kurungulam West Post,
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G.R.SWAMINATHAN, J.

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