



W.A.(MD).No.2375 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH  
AND  
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.2375 of 2024  
and  
C.M.P.(MD).No.16472 of 2024

The General Manager,  
A 1301, Madurai District Co-operative  
Milk Producers Union Limited,  
Sivagangai Main Road,  
Sathamangalam,  
Madurai.

... Appellant/2<sup>nd</sup> Respondent

Vs.

1.The Registrar Cum Managing Director,  
Dairying Avin Enlightenment,  
Mathavaram Milk Colony,  
Chennai.

... 1<sup>st</sup> Respondent/1<sup>st</sup> Respondent

2.P.Balamurugan

... 2<sup>nd</sup> Respondent/Writ Petitioner

**PRAYER:** Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order on 04.06.2024 made in Writ Petition in W.P.(MD).No.10309 of 2024.

For Appellant : M/s.M.Muthu Kavitha

For R-2 : Mr.C.Jeganathan



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W.A.(MD).No.2375 of 2024

## **JUDGMENT**

**(Judgment of the Court was made by M.S.RAMESH,J.)**

The present Writ Appeal has been filed challenging the order of the learned Single Judge in W.P.(MD).No.10309 of 2024 dated 04.06.2024.

2. The charges levelled against the second respondent herein is that the Community Certificate produced by him at the time of his appointment is a bogus one. Incidentally, the Community Certificate was sent for scrutiny before the District Level Committee headed by the District Collector and through a report dated 27.07.2022, the Community Certificate of the second respondent herein was found to be genuine. The appellant herein has now framed charges against the second respondent overlooking the report of the District Level Committee.

3. The learned counsel for the appellant would submit that the decision taken by the District Level Committee was incorrect and therefore, sought for interference to the order passed by the learned Single Judge in the Writ Petition, in which also, reliance was placed on the report of the District Level Committee dated 27.07.2022.



W.A.(MD).No.2375 of 2024

WEB COPY

4. We fail to understand as to how the General Manager of the Madurai District Co-operative Milk Producers Union Limited can sit on an appeal over the statutory District Level Committee headed by the District Collector and claim that the decision is incorrect. Such a claim itself is impermissible. The learned Single Judge since had placed reliance on the decision of the District Level Committee and had come to the conclusion that the charges levelled against the second respondent herein that the Community Certificate is bogus, cannot be sustained, had quashed the same. We do not find any illegality in such a finding of the learned Single Judge.

5. Accordingly, there are no merits in the Writ Appeal and the same stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

**(M.S.R.,J.) (A.D.M.C.,J.)**  
**20.11.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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*W.A.(MD).No.2375 of 2024*

**M.S.RAMESH,J.**  
**and**  
**A.D.MARIA CLETE,J.**

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W.A.(MD).No.2375 of 2024

20.11.2024