



W.P (MD).No.29852 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.29852 of 2024

and

W.M.P(MD)No.25161 of 2024

Muthupandeeswari

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office,
Chennai Metro Rail Office Complex,
Poonthamalee Highway, Koyambedu,
Chennai-600 107.

2.The Sub Collector/Regional Manager,
Tamilnadu Civil Supplies Corporation,
Madurai Region,
Madurai.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the second respondent to furnish the report of the enquiry committee dated 12.09.2024 and all other connected records, which is the basis of the enquiry for blacklisting by the second respondent and to defer the enquiry till the report is furnished to the petitioner.

For Petitioner	: Mr.R.Suriya Narayanan
For R1 & R2	: Mr.R.Satheesh
	Standing Counsel



W.P (MD).No.29852 of 2024

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ORDER

This writ petition has been filed for a direction directing the second respondent to furnish the enquiry report, dated 12.09.2024 and all other connected records for attending the enquiry to be held on 12.12.2024.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The petitioner is running a Modern Rice Mill and an authorized hulling agent of Tamil Nadu Civil Supplies Corporation. The petitioner was allotted contract in the year 2020 and supplied 4750 Metric Tonne of Paddy per month and supplying the resultant rice. While being so, there was an inspection on 14.08.2024 and found that 16 metric tonne (400 gunny bags) of paddy was missing. In pursuant to the inspection, the agreement entered between the petitioner and the Tamil Nadu Civil Supplies Corporation has been and the petitioner was also black-listed. Aggrieved by the same, the petitioner filed a



W.P (MD).No.29852 of 2024

writ petition in W.P(MD)No.24403 of 2024 and it was dismissed by this Court on 05.11.2024. Aggrieved by the same, the petitioner preferred an appeal before this Court in W.A(MD)No.2359 of 2024. The Hon'ble Division Bench of this Court by an order, dated 18.11.2024 allowed the writ appeal by setting aside the order passed by the second respondent and remitted the matter back to the second respondent for fresh consideration. Further, directed the second respondent to consider the objections raised by the appellant and after giving an opportunity of hearing and also with liberty to rely upon any documents and pass speaking order within a period of four weeks from the date of receipt of a copy of the order.

5. Thereafter, on 03.12.2024 the second respondent issued an enquiry notice to the petitioner for the enquiry to be conducted on 05.12.2024. On receipt of the same, the petitioner submitted a representation seeking to furnish the copy of the Enquiry Committee Report dated 12.09.2024. It is seen that during the inspection it was found that 400 gunny bags of paddy (16 metric tonne) was missing in the petitioner's Mill. Further, the said paddy procured directly from the Kamathakudi Godown and loaded in the lorry bearing Registration No.TN-28-AD-4476 during March 2024 for which, there is no acknowledgment. Enquiry has been conducted by the Enquiry Committee and



W.P (MD).No.29852 of 2024

the Vigilance and Anti Corruption Wing. Accordingly, enquiry report was submitted on 12.09.2024. Admittedly, it is an internal enquiry conducted by the official respondents. It is nothing to do with the petitioner on the basis of the report. The first respondent passed an order, dated 04.10.2024 thereby, directed the second respondent to take appropriate action. On the strength of the order passed by the first respondent on 04.10.2024, the second respondent passed an order. Now, the petitioner sought for the enquiry report dated 12.09.2024 with all connected records.

6. As stated supra, the petitioner is not entitled to get the Enquiry Committee report which is confidential in nature. However, as directed by the Hon'ble Division Bench of this Court, the second respondent has issued notice to the petitioner for attending the enquiry to be held on 12.12.2024. That apart, the enquiry report dated 12.09.2024 is a prima facie case made out to proceed as against the petitioner. Therefore, the enquiry report is nothing to do with the enquiry to be conducted on 12.12.2024.

7. In view of the above, the representation submitted by the petitioner cannot be considered and this writ petition is devoid of merits and it is liable to be dismissed. The second respondent is directed to comply the order passed by



W.P (MD).No.29852 of 2024

the Hon'ble Division Bench of this Court, dated 18.11.2024 in W.A(MD)No. 2359 of 2024.

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8. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

Internet : Yes

Index : Yes/No

Speaking/Non Speaking order
am

10.12.2024

To

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W.P (MD).No.29852 of 2024

G.K.ILANTHIRAIYAN, J.

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W.P (MD).No.29852 of 2024

10.12.2024