



WEB COPY

W.P.No.28572 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.28572 of 2015

A.Krishnan

... Petitioner

Vs.

1. The Commissioner for Milk Production and Dairy Development,
Madhavaram Milk Colony, Chennai – 51.
2. The President/ Special Officer,
The Nilgris District Co-operative Milk Producers Union Limited,
Conoor Road, Udthagamandalam.
3. The General Manager,
The Nilgris District Co-operative Milk Producers Union Limited,
Conoor Road, Udthagamandalam.
4. The District Collector,
Collectorate Office, Udthagamandalam.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent herein made in Na.Ka.No.8880-A/Office/A4-2014 dated 07.10.2014 quash the same and consequently direct the respondents herein to give a personal hearing to the petitioner and pass orders on petitioner's representation dated 24.10.2014 in accordance with law.

For Petitioner

: Mr.S.Rajmakesh



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For R2 & R3

: Mr.G.Muniratnam

ORDER

Though various contentions have been advanced in elaborate by the learned counsel for the petitioner, one of the main contention raised is that the representation dated 24.10.2014 submitted by the petitioner was considered by the Respondent No.3 behind the back of the petitioner and no opportunity was afforded to the petitioner to make his submissions in support of the claims made in the said representation dated 24.10.2014.

2. It is the specific contention of the learned counsel for the petitioner that had there been any opportunity of personal hearing to the petitioner, the petitioner would have been in a position to convince the respondents for granting the claim made in the said representation dated 24.10.2014.

3. A perusal of the impugned order dated 07.10.2014 would disclose that the Respondent Board, though considered the said representation, there was no opportunity afforded to the petitioner before passing the said order. In view of the same, this court is of the considered view that, instead of this court examining the matter on merits, it would be appropriate to remand the



matter back to the Respondent No.3 for reconsidering the case of the petitioner afresh by duly affording an opportunity of personal hearing to the petitioner.

4. Accordingly, the impugned order bearing ந.க.எண்.8880-A/நிர்வாகம்/ஏ4/2014 dated 07.10.2014, is hereby set aside and the matter is remanded back to the Respondent No.3 for passing orders afresh by duly affording the opportunity of personal hearing to the petitioner and for passing orders afresh. The Respondent No.3 is also further directed to the pass orders as directed above, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. No costs. Connected miscellaneous petitions, if any, shall stand closed.

23.01.2025

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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MUMMINENI SUDHEER KUMAR, J.

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