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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P.No.45436 of 2025

M/s. Sri Lakshmi Enterprises
Rep. By its Proprietor
Mr.Dhanaseelan
S/o. Patchiappan
491, Vazhudhavor Road,
Mutharayarpalayam,
Puducherry – 605 009

... Petitioner

Vs.

1. The Chief Secretary
Government of Puducherry
Chief Secretariat
Puducherry.
2. The Registrar of Cooperative Societies
Cooperative Department
Puducherry.
3. The Managing Director
The Puducherry State Cooperative Consumer's Federation Ltd.
CONFED
A-38 & A-39, Industrial Estate
Thattanchavadi
Puducherry – 605 009.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first and third respondents to dispose of the petitioner's representations dated 14.10.2025 and 13.08.2025 by paying an amount of with interest at the rate of 18%.

For Petitioners : Mr. G.Chandrasekaran

For RR 1 & 2 : Mr.Vasantha Kumar

For 3rd Respondent : Mr. R.Sridhar
Additional Government Pleader

ORDER

The petitioner has come forward with this Writ Petition seeking a direction for payment of Rs.2,72,82,572/- for the admitted amount by the third respondent.

2. The petitioner had supplied crackers to the third respondent for distribution to the general public. The petitioner supplied the same to the tune of Rs.3,12,82,572.00/-, out of this amount, a sum of Rs.40,00,000/- alone was paid, leaving a balance of Rs.2,72,82,572/-. Despite the fact that the petitioner had approached the respondent on more than one occasion seeking payment of the admitted amount, it was not released. Hence, the Writ Petition.



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3. When the matter came up for admission, Mr.Vasantha Kumar took notice for the respondents 1 and 2 and Mr.R.Sridhar, learned Additional Government Pleader took notice for the third respondent.

4. Mr.R.Sridhar submits that the third respondent is yet to get funds from the Government for the purpose of making the payment. The delivery of crackers had been made by the petitioner to the third respondent on the order placed by the third respondent, and to link the said payment to the funds to be released by the Government is beyond what was originally contemplated.

5. When this aspect was pointed out, Mr.R.Sridhar submitted that earnest steps will be taken to convince the Government to release the payments and in case, the payments are not released by the Government, the third respondent will disburse the amount.

6. I called Mr.R.Sridhar to file an undertaking affidavit to that effect and posted the matter today.

7. When I took up the matter today, Mr.R.Sridhar has filed the undertaking affidavit. The said affidavit is scanned and extracted hereunder:-



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Cooperative Department,
Puducherry

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The Puducherry State cooperative Consumers' Federation Ltd
CONFED,
A-38 & A-39,, Industrial Estate,
Thattanchavadi,
Puducherry, - 605 009

... Respondents

AFFIDAVIT FILED BY THE 3rd RESPONDENT

I, P. Iyyappan, aged 50 years, S/o Pandiyan, presently working
as Managing Director, Pondicherry State Co-operative
Consumers' Federation Ltd. (CONFED), Puducherry do hereby
solemnly affirm and state as follows:

Puducherry State Co-Op
Consumers Federation Ltd, P.429

M. G. S. K.
Managing Director
Puducherry State Co-Op
Consumers Federation Ltd, P.429



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1. I state that I am the third Respondent herein and I am well acquainted with the facts of the case, and I am competent to swear to this affidavit in my official capacity.

2. I submit that the CONFED was under complete financial distress and remained non-functional during the year 2019, suffering a huge accumulated loss of approximately ₹35 crores. Due to lack of working capital and severe operational difficulties, most commercial activities of CONFED were discontinued during that period.

3. I further submit that only after continuous and strenuous efforts of the administration, dedicated hard work of the staff, and substantial financial support extended by the Government of Puducherry, CONFED slowly revived its operations during 2022.

4. I submit that CONFED successfully conducted Deepavali Bazaar 2023 and 2024 by engaging empanelled cracker suppliers on consignment basis.

Deepavali Bazaar 2023:

CONFED supplied crackers to the OCM (Office of the council of Ministers), Government of Puducherry.

After receiving payment from the Government, CONFED duly settled the amounts payable to all empanelled cracker

For the Pondicherry State Co-Op
Consumers Federation Ltd. P.429



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suppliers in accordance with their consignment orders and as per the Terms and Conditions.

Deepavali Bazaar 2024:

As per the requisition of the OCM, crackers gift boxes were once again supplied similar to the previous year 2023.

Invoice was raised and submitted to the OCM, but payment from the Government is still pending. Due to this, CONFED has not yet settled the consignment amount to the Writ petitioner. I submit that the non payment is neither wilful nor wanton.

5. I humbly submit that the petitioner, M/s Lakshmi Enterprises, has filed the present Writ Petition seeking payment of the consignment amount. CONFED does not dispute the liability and is keen to settle the dues. However, the delay has occurred solely because payment from the Government is yet to be received.

6. Without prejudice to any rights and contentions, I submit that CONFED will make sincere efforts to obtain the payment from the Government at the earliest. Further, CONFED undertakes to clear the consignment dues to the petitioner within a period of three (3) months from out of the available funds, without claiming any interest, since CONFED is presently unable to pay interest to the petitioner due to financial constraints, however, making arrangements to settle the

For The Pondicherry State Co-Op
Consumers Federation Ltd. & Co.



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principle amount by CONFED by utilising the working capital hence we request this Hon'ble court to consider the same and considering the financial revival efforts presently underway.

7. Further, I submit that CONFED has acted bona fide throughout and there is no intention to delay or deny payment to the petitioner. The delay is purely due to pending release of Government funds, which is beyond the control of CONFED. CONFED reserves all their available rights and remedies available to them to recover the said amount from the Government of Puducherry as they are continuously requesting for the same and the present undertaking is given without prejudice to their right of claim against the Government of Puducherry in terms of payment to be paid to the Writ Petitioner.

It is therefore prayed that, this Hon'ble Court may be pleased to take this affidavit on record and pass appropriate orders in the interest of justice.

Solemnly affirmed at Puducherry

On this the 26th day of November 2025

And signed before me.



(Signature)
(P. IYYAPPAN)
Managing Director, CONFED

(Signature)
BEFORE ME:



S. RAVI
ADVOCATE & NOTARY
M.S.No: 378/1
422/2, KANAK KOLL STREET



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8. The undertaking given in paragraph No.6 is recorded. In case, the petitioner has any claim for interest, he can work out the same in a separate suit.

9. The Writ Petition stands disposed of. No costs.

27.11.2025

vsg

Neutral Citation : Yes / No

To

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V. LAKSHMINARAYANAN, J.

vsg

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