

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 15.09.2025**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.24266 of 2025**

N.Umamaheswari,
W/o.Nallamani Konar,
Proprietor,
Thirumalai Traders,
No.10, Kancharangulam main road,
Opp. to Jasmine Towels,
Virathanoor,
Madurai – 625 009.

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Civil Supplies
Corporation Head Office,
Poonamalee High Road,
Chennai Metro Rail Ltd.,(CMRL),
Admin Building, Koyambedu,
Chennai – 600 107.
2. The Additional Director General of Police,
Civil Supplies CID,
Venkateshwara Hospital,
Pasumpon Muthuramalinga Thevar Road,
Rathna Nagar, Nandanam,
Chennai – 600 035.
3. The Commissioner,
Civil Supplies and Consumer Protection,
4th Floor, Ezhilagam,
Chepauk, Chennai – 600 005.



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4. The District Collector,
District Collector Office Collectorate Complex,
Madurai – 625 020.

5. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Regional Office, BSNL Office Block,
Thallakulam,
Madurai – 625 002.

6. The Zonal Manager,
Tamil Nadu Civil Supplies Corporation,
Madurai.

7. The Branch Manager,
Canara Bank, K.Pudur,
Madurai – 625 002.

(R-7 is deleted vide order dated 08.09.2025) ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to allow the petitioner to transport and sell fortified kernel mixed rice weighing 166.364 tonnes considering the petitioner's representation dated 15.07.2025.

For Petitioner : Mr.T.S.Mohamed Mohidheen

For R-1 & R-5 : Mr.G.Mohankumar

For R-3, R-4 & R-6 : Mr.K.S.Selvaganesan,
Additional Government Pleader.

For R-2 : Mr.A.Albert James,
Government Advocate.

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ORDER

Heard both sides.

2. The writ petitioner is a licensed hulling agent. Paddy worth around Rs.68 Lakhs was supplied to the writ petitioner by the Tamil Nadu Civil Supplies Corporation for hulling purposes. The writ petitioner was expected to hull and return the same within fifteen days. The petitioner failed to do so. When the inspection was conducted, it revealed that the rice available as stock in the petitioner's premises was not fit for human consumption. Thereupon, the fifth respondent encashed the bank guarantee furnished by the petitioner to the tune of Rs.68 Lakhs. The learned Standing counsel for TNCSC states that this amount is yet to be appropriated. TNCSC is permitted to appropriate said amount. If there is any balance claim on the writ petitioner, it is open to the Corporation to initiate appropriate proceedings in this regard. Liberty is granted.



3. Since the dues payable to the Corporation have been almost settled, the Corporation cannot have any claim on ownership over the stock available with the petitioner. Since test reports indicate that it is not fit for human consumption, it cannot be allowed to be sold in the market for human use. My attention is drawn by the learned counsel to the decision reported in **(1996) 6 SCC 101 (Tapan Kumar Sadhukhan Vs. Food Corporation of India)**. It can be seen therefrom that the substandard stocks can be sold to established cattle / poultry feed manufacturers only. The petitioner shall identify the buyer in this regard. Thereupon, the petitioner shall inform the second respondent and the second respondent shall keep watch and ensure that the resultant stock is sold only for the aforesaid purposes. This writ petition stands disposed of accordingly.

No costs.

15.09.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

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To:

1. The Additional Director General of Police,
Civil Supplies CID,
Venkateshwara Hospital,
Pasumpon Muthuramalinga Thevar Road,
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Chennai – 600 035.
2. The Commissioner,
Civil Supplies and Consumer Protection,
4th Floor, Ezhilagam,
Chepauk, Chennai – 600 005.
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4. The Zonal Manager,
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G.R.SWAMINATHAN,J.

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