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W.P.No.17318 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.17318 of 2016

And

W.M.P.No.14796 of 2016

- 1 TPD 89-B, Mallapuram Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Bommadi (PO), Pappireddipatti Taluk,
Dharmapuri District.
- 2 TPD 128 Ramiyanahalli Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Ramiyanahalli (PO)
Pappireddipatti Taluk,
Pincode – 636 302,
Dharmapuri District.
- 3 TPD 365 - Kerraipatti Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Kerraipatti (PO)
Harur Taluk,
Pincode – 636 903,
Dharmapuri District.
- 4 TPD 160 – Veppampatti Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Veppampatti (PO)
Harur Taluk,
Pincode – 635 301,
Dharmapuri District.



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- 5 DPD 16 – Kottapatti Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Ramasamy Kottapatti (PO)
Harur Taluk,
Pincode – 636 903,
Dharmapuri District.
- 6 TPD 23-Pudupatti Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Pudupatti (PO)
Pappireddipatti Taluk,
Pincode – 636 905,
Dharmapuri District.
- 7 TPD 116-Pappireddipatti Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Athigarapatti (PO)
Pappireddipatti Taluk,
Pincode – 636 302,
Dharmapuri District.
- 8 TPD 435-Fathimanagar Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Thenkaraikottai,
Pappireddipatti Taluk,
Pincode – 635 301,
Dharmapuri District.
- 9 TPD 124 Bairantham Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Bairantham (PO)
Pappireddipatti Taluk,
Pincode – 635 301,
Dharmapuri District.
- 10 Eramiyampatti Milk Producers Co-operative Society Ltd.,
Rep. by its Secretary,
Kokarapatti (PO)
Pappireddipatti Taluk,
Pincode – 636 903,
Dharmapuri District.



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11 Nallampatti Milk Producers Co-operative Society Ltd.,

Rep. by its Secretary,
Arangapuram (PO)
Pennagaram Taluk,
Pincode – 636 905,
Dharmapuri District.

12 TPD 207 Indur Milk Producers Co-operative Society Ltd.,

Rep. by its Secretary,
Indur (PO), Nallampalli Taluk,
Pincode – 636 810,
Dharmapuri District.

13 TPD 244 Eriyur Milk Producers Co-operative Society Ltd.,

Rep. by its Secretary,
Kurkampatti Post, Nattam (PO),
Pennagaram Taluk,
Pincode – 636 810,
Dharmapuri District.

... Petitioners

Vs.

1 The Commissioner of Milk and Dairy Development,
Madhavaram Milk Colony,
Madhavaram,
Chennai – 600 051.

2 Tamil Nadu Co-operative Milk Producers' Federation Ltd.,
Rep. by its Managing Director,
Aavin Illam, Madhavaram Milk Colony,
Madhavaram,
Chennai – 600 051.

3 The Dharmapuri District Co-operative Milk Producers Union Ltd.,
Rep. by its General Manager,
Salem Main Road,
Kanakamuthu (PO),
Post Box No.13,
Krishnagiri – 635 002.



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4 Deputy Registrar (Dairying)
Kandaswamy Vathiyar Street,
Dharmapuri (Taluk),
Dharmapuri District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order bearing Ref. Na. Ka. No.4252/BMC/2015 dated 06.08.2015 and ref. Na. Ka. No.6043/BMC/Audit Objections/2015 dated 01.03.2016 passed by the third respondent Union and to quash the same as being illegal, arbitrary and without jurisdiction and consequential Mandamus directing the third respondent to refund the amount recovered from the petitioner societies with 18% interest per annum from the date of recovery till the date of actual payment within a time frame to be fixed by this Hon'ble Court.

For Petitioners : Mr.V.Govardhanan
for M/s.Row and Reddy

For Respondents: Mrs.M.Geetha Thamaraiselvan for R1, R4
Special Government Pleader
Mr.S.Arun Kumar for R2, R3

ORDER

The petitioners have filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the order bearing Ref.Na.Ka.No.4252/BMC/2015 dated 06.08.2015 and ref.Na.Ka.No.6043/BMC/Audit Objections/2015 dated 01.03.2016

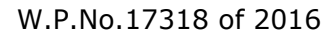


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passed by the third respondent Union and to quash the same as being illegal, arbitrary and without jurisdiction and to consequentially direct the third respondent to refund the amount recovered from the petitioner societies with 18% interest per annum from the date of recovery till the date of actual payment within a time frame to be fixed by this Court.

2.The learned counsel appearing for the petitioners submitted that the petitioner societies are registered under the Tamil Nadu Co-operative Societies Act, 1983 and have common set of bye-laws. The petitioner societies purchase milk from their members who have cattle's and in turn sell the same to the third respondent Union and the petitioner societies have paid their members the value of milk purchased as they satisfied the minimum standards i.e., fat content of 3.0% and solids – not – fat comprising protein, carbohydrates, vitamins, minerals etc., in milk other than milk fat (commonly known as SNF) of 7.7% and the amounts are paid to the members depending upon the fat and SNF content subject of course to the above minimum.

3.The learned counsel appearing for the petitioners further submitted that based on the audit objections for the year 2013 – 2014



4. The learned counsel appearing for the respondents 2 and 3 and that this Court may set aside the impugned orders and the matter back to the third respondent and issue direction to respondent to consider the matter afresh and to pass appropriate orders.

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matter afresh, provide opportunity to the petitioner societies and pass appropriate orders, as expeditiously as possible.

6.With the above observations and directions, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

12.03.2026

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Index: Yes/ No Speaking Order: Yes/ No NCC: Yes/ No

To

- 1 The Commissioner of Milk and Dairy Development,
Madhavaram Milk Colony,
Madhavaram,
Chennai – 600 051.
- 2 Tamil Nadu Co-operative Milk Producers' Federation Ltd.,
Rep. by its Managing Director,
Aavin Illam, Madhavaram Milk Colony,
Madhavaram,
Chennai – 600 051.
- 3 The Dharmapuri District Co-operative Milk Producers Union Ltd.,
Rep. by its General Manager,
Salem Main Road,
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