

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.Nos.3177 and 3202 of 2023
AND
C.M.P.Nos.26038 and 26180 of 2023

W.A.No.3177 of 2023

1. P.Sadagopan
2. R.Chandramurthy
3. S.Markandan
4. M.Padmaja
5. S.Balachandran

... Appellants

-VS-

1. The Union of India
Rep. by its Secretary,
Ministry of Consumer Affairs,
Food and Public Distributions,
Government of India, Krishi Bhavan,
New Delhi – 110001.
2. The Union of India,
Rep. by The Secretary,
Ministry of Finance,
Government of India,
North Block, New Delhi – 110 001.
3. The Union of India,
Rep. by the Secretary,
Ministry of Personnel, Public Grievances
and Pensions, Department of Pension and
Pensioners Welfare, 3rd Floor, Lok Nayak
Bhavan, New Delhi - 110 003.



4. The Food Corporation of India
Rep. by the Managing Director,
Head Quarters, 16-20 Barakamba Lane,
New Delhi - 110 003.

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5. AR Sampathraghavan

... Respondents

W.A.No.3202 of 2023

1. V.Malayappan
2. R.Parthasarathy
3. A.Andreas
4. A.Somasundaram
5. N.Anbalagn
6. C.Ramachandran
7. V.Adishesan
8. C.P.Sukumar
9. V.Nagarajan
10. N.Lakshmi

..Appellant(s)

-VS-

1. The Union of India
Rep. by its Secretary,
Ministry of Consumer Affairs, Food and
Public Distributions, Government of India,
Krishi Bhavan, New Delhi - 110 001.
2. The Union of India
Rep. by Secretary,
Ministry of Finance, Government of India,
North Block, New Delhi-110 001.
3. The Union of India,
Rep. by Secretary,
Ministry of Personnel, Public Grievances
and pensions, Department of Pension and
Pensioners welfare, 3rd floor, Lok Nayak
Bhavan, New Delhi - 110 003.



4. The Food Corporation of India
Rep. by the Managing Director,
Head Quarters, 16-20 Barakamba Lane,
New Delhi - 110 003.

5. M.Veeraraghavan
6. R.Thiagarajan
7. M.Panneerselvam

... Respondents

W.A.No.3177 of 2023

Prayer: To set aside the order 20.07.2023 made in W.P.No.14295 of 2022 on the file of this Hon'ble Court.

W.A.No.3202 of 2023

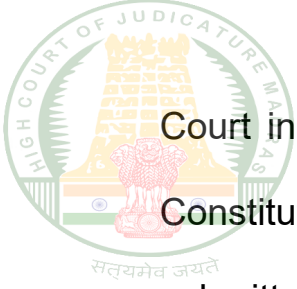
Prayer: To set aside the order 20.07.2023 made in WP.No. 11214 of 2022 on the file of this Hon'ble Court.

Case No.	For Appellants	For Respondents
W.A.No.3177 of 2023	Mr.G.Ethirajulu	Mr.K.Ramanamoorthy, CGC for R1 to R3 Mr.C.Chandrasekar for FCI / R4 For R5 – No Appearance
W.A.No.3202 of 2023	Mr.G.Ethirajulu	Mr.K.Ramanamoorthy, CGC for R1 to R3 Mr.C.Chandrasekar for FCI / R4 For R5 to R7 – No Appearance

COMMON JUDGMENT

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The issue mainly raised in the present Intra Court Appeal instituted under Clause 15 of the Letters Patent is as to whether High



Court in exercise of powers of judicial review under Article 226 of the Constitution of India can issue directions to dispose of representation submitted by writ petitioners in the absence of establishing legal right and in a routine manner.

2. Even for issuance of direction to consider the representation, person approaching Court must establish his right or infringement of right. High Court in exercise of powers of judicial review is not expected to issue direction even to consider representation to Authorities without examining rights involved as well as subject matter, so as to ascertain whether grievance addressed by writ petitioner would fall within the realm of powers of judicial review.

3. Issuing direction to consider the representation blindly would not only cause prejudice to Government Authorities, but also would pave way for considering those claims on extraneous considerations. There is a possibility of using High Court's order for creating files or to achieve one's goal in an indirect manner. High Court, while entertaining writ petition is expected to ascertain rights of persons and to ensure that direction issued to consider the representation would fall within the realm of powers of judicial review under Article 226 of the



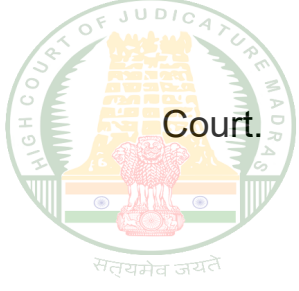
Constitution of India.

4. Constitution Bench of Hon'ble Supreme Court in the case of **High Court Bar Association, Allahabad vs. State of U.P. and others¹** held as follows:

“37 (c) Constitutional Courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts. Constitutional Courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the concerned Courts where the cases are pending;

5. In the present case, Writ Court considered the grievance of appellants and their primary grievance is that proposal submitted in the year 2014 for amendment has not been fructified. Appellants have sent several representations and Authorities have not considered the same. Writ Court made a finding that Writ of mandamus directing respondent to send notes of internal communication for amendment of the Act cannot be issued. Materials and submissions made before Writ Court was that the amendment to be brought in the Food Corporation of India Act by taking note of certain official communications addressed on the basis of their representations. Such a grievance may be addressed to competent Authorities, but would not constitute a ground to entertain writ petition, by High Court. Thus, writ petition is misconceived as rightly held by Writ Court, which does not warrant any interference by this

¹2024 INSC 150



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S.M.SUBRAMANIAM,J.
AND
N.SENTHILKUMAR,J.
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Consequently, the present Writ Appeals stand dismissed. No costs. Connected Miscellaneous Petitions are closed.

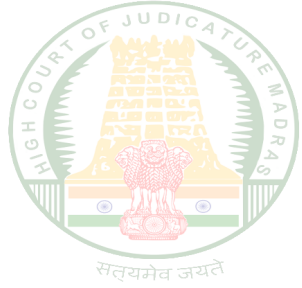
(S.M.S.,J.) (N.S.,J.)
30-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To:

1. The Secretary,
Union of India,
Ministry of Finance,
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North Block, New Delhi – 110 001.
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