

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No.11239 of 2015 (D)

PETITIONER:

**C.MOHAMMED,CHERUPULLAYIL HOUSE,
P.O.THUPRANGODE,MALAPPURAM DISTRICT**

**BY ADVS.SRI.K.RAMACHANDRAN
SMT.M.C.BINDUMOL**

RESPONDENT'S:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
FOOD & CIVIL SUPPLIES DEPARTMENT,
SECRETARIAT,THIRUVANANTHAPURAM-695001.**
- 2. THE DIRECTOR OF CIVIL SUPPLIES,
OFFICE OF THE COMMISSIONER OF CIVIL SUPPLIES,
THIRUVANANTHAPURAM - 695 001.**
- 3. THE DEPUTY RATIONING CONTROLLER,
NORTHERN ZONE,KOZHIKODE- 673 001.**
- 4. THE DISTRICT SUPPLY OFFICER,
MALAPPURAM,PIN-676 101.**
- 5. THE TALUK SUPPLY OFFICER,TIRUR,
MALAPPURAM DISTRICT,PIN-676 101.**

R1 TO R5 BY GOVT. PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

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APPENDIX

PETITIONER'S EXHIBITS

**EXT.P1-TRUE COPY OF ORDER NO.(CS) D3-25490/2012 (2) DATED 3.12.2012
ISSUED BY THE SECOND RESPONDENT**

**EXT.P2-TRUE COPY OF THE APPEAL DATED 21.12.2012 SUBMITTED BY THE
PETITIONER BEFORE THE MINISTER FOR FOOD & CIVIL SUPPLIES,
GOVT. OF KERALA.**

**EXT.P3-TRUE COPY OF THE ORDER NO.GO (RT) NO.71/15/FOOD & CIVIL
SUPPLIES DEPARTMENT ISSUED BY THE FIRST RESPONDENT.**

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

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W.P.(C)No.11239 OF 2015
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Dated this the 7th April, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

"i) issue a writ of certiorari or any other appropriate writ, order or direction quashing Exts.P1 and P3 orders and restore the licence granted to the petitioner for running ration shop No.A.R.D. 231 of Tirur Taluk, Malappuram district.

ii) issue a writ of mandamus or any other appropriate writ, order or direction directing the first respondent to conduct the proposed enquiry against the petitioner in respect of the alleged irregularities regarding running of ration shop A.R.D. No.231 of Tirur Taluk by appointing an Enquiry Officer immediately and finalise the enquiry proceedings in a time bound manner as this Hon'ble Court may be deem fit and proper;

iii) render such other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. Heard the learned Counsel for the petitioner as well as the learned Government Pleader as well.

3. The learned Counsel for the petitioner submits that the grievance is mainly with regard to non-finalisation of disciplinary proceedings initiated against the petitioner. The order passed by the second respondent/Director of Civil Supplies was subjected to challenge by way of appeal before the competent authority wherein interference was declined as per Ext.P3 order dated 04.03.2015. This made the petitioner to approach this Court by filing this writ petition.

4. Since the grievance with regard to suspension of ARD No.231 of Tirur Taluk has been finalised by the appellate authority, the next course open for the petitioner is to pray for finalisation of the enquiry proceedings.

5. After hearing both the sides, this Court finds that the proceedings are to be taken to a logical conclusion. Accordingly, there will be a direction to the concerned respondent to finalise the enquiry proceedings initiated against the petitioner in connection with running of ARD by appointing an enquiry officer, after hearing the petitioner in accordance with law, which shall be done at the earliest, at any rate, within three months from the date of receipt of a copy of this judgment. The petitioner shall

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produce a copy of this judgment along with a copy of this writ petition before the concerned respondent for further steps.

**P.R.RAMACHANDRA MENON
JUDGE**

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