

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 12352 of 2015 (T)

PETITIONER(S):

- 1. AKSHAYA E-CENTRE, CHENDAMANGALAM,
REPRESENTED BY THE ENTREPRENEUR, SACHIN,
AGED 37 YEARS, W/O.SADANANDAN.**
- 2. AKSHAYA E-CENTRE, KOONANMAVU, REPRESENTED BY THE
ENTREPRENEUR, DHANYA, AGED 30 YEARS, S/O.AJITH KUMAR.**
- 3. AKSHAYA E-CENTRE, UDAYAMPEROOR, REPRESENTED BY THE
ENTREPRENEUR, VINEETH KUMARI, AGED 39 YEARS,
W/O.SURESH.M.C.**
- 4. AKSHAYA E-CENTRE, CHITTATTUKARA,
REPRESENTED BY THE ENTREPRENEUR,
ANTONY JOY, AGED 28 YEARS, S/O.JOY.**
- 5. AKSHAYA E-CENTRE, CHERANELLOOR,
REPRESENTED BY THE ENTREPRENEUR,
RAZAK.P.A., AGED 41 YEARS, S/O.AHAMMED PILLAI.**
- 6. AKSHAYA E-CENTRE, KARAMALLOOR,
REPRESENTED BY THE ENTREPRENEUR, LEJU.K.G.,
AGED 31 YEARS, S/O.KUNJAPPAN.**
- 7. AKSHAYA E-CENTRE, CADAKKEKARA,
REPRESENTED BY THE ENTREPRENEUR,
SHEMI RAJ, AGED 39 YEARS, S/O.C.K.RAVEENDRAN.**
- 8. AKSHAYA E-CENTRE, KADUNGALLOOR,
REPRESENTED BY THE ENTREPRENEUR,
SHAJITHA.K.A., AGED 35 YEARS, W/O.ALI.M.K.**
- 9. AKSHAYA E-CENTRE, KOOVAPPADY,
REPRESENTED BY THE ENTREPRENEUR,
BINITHA.C.A., AGED 30 YEARS, W/O.SAJEEVAN.**
- 10. AKSHAYA E-CENTRE, MUDAKUZHA,
REPRESENTED BY THE ENTREPRENEUR,
SWAPNA S. NAIR, AGED 35 YEARS, W/O.MANOJ KUMAR.**
- 11. AKSHAYA E-CENTRE, ASHAMANNOOR,
REPRESENTED BY THE ENTREPRENEUR,
SHEREENA.E.M., AGED 27 YEARS, D/O.MAITHEEN.**

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12. AKSHAYA E-CENTRE, EDAKKATTUVAYAL,
REPRESENTED BY THE ENTREPRENEUR,
MANOJ P VIJYAN, AGED 39 YEARS, S/O.VIJYAN.
13. AKSHAYA E-CENTRE, PALLIPPURAM,
REPRESENTED BY THE ENTREPRENEUR,
DEEPAK, AGED 36 YEARS, S/O.BALAN.
14. AKSHAYA E-CENTRE, AMBALLOOR,
REPRESENTED BY THE ENTREPRENEUR,
SUMAYYA HASSAN, AGED 46 YEARS, W/O.T.P.HASSAN.
15. AKSHAYA E-CENTRE, PINDIMANA,
REPRESENTED BY THE ENTREPRENEUR,
SHALASREE, AGED 40 YEARS, W/O.ARAVIND.
16. AKSHAYA E-CENTRE, ASHAMANNOR,
REPRESENTED BY THE ENTREPRENEUR,
MANOJ.M.S., AGED 43 YEARS, S/O.SHANKARAN KUTTY.
17. AKSHAYA E-CENTRE, THRIIPPUNITHURA,
REPRESENTED BY THE ENTREPRENEUR,
SMRITHI GOPALAN, AGED 46 YEARS, W/O.GOPALAN.
18. AKSHAYA E-CENTRE, KUZHUPPILLY,
REPRESENTED BY THE ENTREPRENEUR,
MOLLY JOSEPH, AGED 53 YEARS, D/O.C.P.DEVASSY.
19. AKSHAYA E-CENTRE, KOTHAMANGALAM,
REPRESENTED BY THE ENTREPRENEUR,
LISSIE ITTEN, AGED 49 YEARS, W/O.ITTEN.

BY ADV. SRI.C.A.NAVAS

RESPONDENT(S):

1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF ELECTRONICS AND INFORMATION TECHNOLOGY,
GOVERNMENT OF INDIA, NEW DELHI-110 001
2. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO
GOVERNMENT, CIVIL SUPPLIES DEPARTMENT, GOVERNMENT
SECRETARIATE, THIRUVANANTHAPURAM-695 001
3. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO
GOVERNMENT, INFORMATION AND TECHNOLOGY DEPARTMENT,
GOVERNMENT SECRETARIATE, THIRUVANANTHAPURAM-695 001
4. THE DIRECTOR, KERALA STATE I.T MISSION,
GOVERNMENT OF KERALA, VELLAYAMBALAM,
THIRUVANANTHAPURAM-695 001

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5. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKNAD, ERNAKULAM-682 030
6. THE DIRECTOR, STATE AKSHAYA PROJECT,
MANJALIKULAM ROAD, THAMBANOOR,
THIRUVANANTHAPURAM-695 001
7. THE DISTRICT CO-ORDINATOR,
STATE AKSHAYA PROJECT, DISTRICT OFFICE,
KAKKNAD, ERNAKULAM-682 030
8. C-DIT, CHITRANJALI HILLS, THIRUVALLAM,
THIRUVANANTHAPURAM,PIN-695 027,
REPRESENTED BY THE REGISTRAR.

R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SRI.R.PRASANTH KUMAR, CGC
R2 TO R7 BY SR GOVERNMENT PLEADER SRI.K.C.VINCENT
R8 BY SRI.C.S.AJITH PRAKASH, SC, C-DIT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE GOVERNMENT ORDER NO.G.O.(MS).NO.25/2009/ITD DATED 06/10/2009**
- P2 COPY OF THE PAPER PUBLICATION REPORTED IN MATHRUBHUMI DAILY DATED 05/01/2015**
- P3 COPY OF THE PAPER PUBLICATION REPORTED IN MATHRUBHUMI DAILY DATED 08/01/2015**
- P4 COPY OF THE PAPER PUBLICATION REPORTED IN MATHRUBHUMI DAILY DATED 16/01/2015.**
- P5 COPY OF THE PAPER PUBLICATION REPORTED IN MATHRUBHUMI DAILY DATED 21/01/2015**
- P6 COPY OF THE INTERNET GENERATED LIST OF SERVICES GIVEN TO THE AKSHAYA, DOWNLOADED FROM AKSHAYA SITE DATED 16/01/2015**
- P7 COPY OF THE GOVERNMENT ORDER NO.G.O(MS).NO.70/2012/LABOUR DATED 16/05/2012**
- P8 COPY OF THE SPECIMEN APPLICATION INVITING QUOTATION FROM PRIVATE AGENCIES FOR PHOTO WORK DATED 04/12/2014 ISSUED BY THE C-DIT**
- P9 COPY OF THE INTERIM ORDER DATED 17/03/2015 IN WPC.NO.1151/2015 AND CONNECTED CASES OF THE HONOURABLE HIGH COURT OF KERALA.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.12352 of 2015

Dated this the 10th day of April, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers:

"(i) To call for the records relating to Exhibit-P1 to P9 and to issue a Writ of Mandamus or any other appropriate writ, direction or order declaring that the petitioners Entrepreneurs are the most eligible governmental approved agency for doing the renewal of Ration Card work and such other similar works being the Common Service Centres declared by the Government.

(ii) To issue a writ of Mandamus or any other appropriate writ, direction or order directing the respondents 2 to 7 to allot the entire second phase of DATA entry work in relation to ration card renewal to the Akshaya Centres, through their respective centres, forthwith.

(iii) To issue an interim order to the respondents 2 to 7 to allot the DATA Entry work of ration card renewal to the Petitioners and to do the same through their respective centres forthwith, in the light of Exhibit P9 interim order, pending disposal of the Writ Petition (Civil).

(iv) To issue any other appropriate writ, direction or order to meet out justice in the facts and circumstances of this case."

2. The learned Standing Counsel appearing for the C-DIT submits that, a portion of the DATA entry work has already been given by the Government to the C-DIT and that the rate has been

fixed as per G.O. No.(Ord)No.90/15FCSD dated 17.03.2015. If any grievance is there, it is for the petitioners to approach the Government/District Collector, who is the competent authority to consider the same.

3. The learned counsel for the petitioners submits that, the petitioners would like to pursue the matter before the 5th respondent/District Collector by filing a proper representation.

4. In the said circumstances, the petitioners are relegated to approach the 5th respondent by filing necessary application within 'two weeks' from the date of receipt of a copy of this judgment, upon which, the same shall be considered and appropriate orders shall be passed, after affording an opportunity of hearing to the petitioners and also the C-DIT, at the earliest, at any rate, within 'one month' therefrom.

The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 5th respondent, for further steps.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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