

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.1979 of 2015

B.Sivakumar

.. Petitioner

-vs-

1.The District Collector,
Dharmapuri,
Dharmapuri District.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Dharmapuri, Dharmapuri District.

3.The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to shift the Fair Price Shop from the Mel Kottavoor village (Private Rent Building) to Kaalikoundan Kottai village (Government Building) and to consider the petitioner representation letter to the respondents dated 10.11.2014.

For Petitioner : Mr.M.Senthamizh Selvan

For Respondents : Mr.S.T.S.Moorthy,
Govt. Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner alleges that a fair price shop is running in a rented building at Mel Kottavoor village in a private land and is not in a good condition. It is his case that one resident gifted three cents of land for a fair price shop to the State Government and the State Government has provided funds for welfare of the Constituency, wherefrom the fair price shop in Kaalikoundan Kottai village is to be constructed. The building is stated to be constructed, but the fair price shop has not been shifted and his representation dated 10.11.2014 has remained unanswered.

2.Learned Government Pleader appearing for the respondents states that the fair price shop is located in a private premises, but the same has been made available free of rent. He submits there are only 157 ration card holders and the group the petitioner represents are seeking shifting of the shop to another location, which, in turn, is a group of about 57 ration card holders. He submits that this is not being found feasible especially as the distance is about 300 meters between the two locations and there is no proposal to shift the rationshop.

3.As to where the shop is to be located is the Government's decision within its administrative domain and neither the petitioner nor the Court could decide the location thereof.

4.In view of the stand of the learned Government Pleader that there is no proposal to shift the shop, no directions are called for in the present petition, which stands closed. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The District Collector,
Dharmapuri,
Dharmapuri District.
- 2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Dharmapuri, Dharmapuri District.
- 3.The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

+ 1 cc to the Government pleader Sr.4747

MP (CO)
Eu 06.02.15

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