IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.8.2015

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THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.31173 of 2012

K.RAVIPRAKASAM [PETITIONER]

Vs

1 THE DISTRICT COLLECTOR
TIRUVANNAMALAI DISTRICT
COLLECTORATE
THIRUVANNAMALAI.

2 THE TALUK SUPPLY OFFICER
CHENGAM, THIRUVANNAMALAI DISTRICT.

3 SUNDARAPANDIAN
NO.1, 1ST STREET, PERIYERI VILLAGE
CHENGAM TALUK
THIRUVANNAMALAI DISTRICT. [RESPONDENTS]

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 27.9.2012 within a stipulated time as this Court fixes.

For petitioner : Mr.C.Prakasam
For respondents : Mr.P.Chinnadurai
Government Advocate for R1 and R2
No Appearance for R3

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O R D E R

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first and the second respondents. There is no representation for the third respondent.

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2. At this stage of the hearing of the writ petition, the learned Government Advocate appearing for the first and the second respondents had placed before this Court a counter affidavit filed on behalf of the second respondent. Paragraph 5 of the counter affidavit reads as follows:

> "5. It is further submitted that, one Ration Card bearing No.06/G/0448880 Membership Reg.No.543 has been issued to the family of one Sundarapandiyan, under Pudupalayam village shop No.CP.059 and the same is not under use since 2010. The other Ration Card under Periyeri village shop No.CP.063, a Ration Card bearing No.06/G/0450804 Membership Reg.No.132, has been issued to the family of one Gandhi, which alone is currently under use. Hence, the Salesman at Pudupalayam village shop No.CP.059 not to supply any essentials to this card bearing No.06/G/0448880 Membership Reg.No.543, issued to the family of one Sundarapandiyan. After reply to this effect by the Tahsildar, Chengam, in his Letter No.Na.Ka.A3/4677/2011, dated 26.5.2011, no further actions were deemed necessary in this matter. The respondents 1 and 2 are not aware of the competition between the petitioner and the 3rd respondent in connection with applying for Gas Agency. However, after lying low for more than one year since 26.5.2011, the petitioner has come up with the representation dated 27.9.2012 addressed to the 1st respondent seeking intervention and warning to Sundarapandiyan. Even before further actions could be processed on the basis of the petitioner's representation dated 27.9.2012, he has rushed to this Hon'ble Court praying for disposing his representation dated 27.9.2012. In fact, the writ petitioner has not prayed for any specific relief under this writ petition other than for disposing of his representation dated 27.9.2012 within a stipulated time."

3. From paragraph 5 of the counter affidavit filed on behalf of the second respondent, it could be noted that the third respondent had issued with the two ration cards namely, ration card No.06/G/0448880 and ration card No.06/G/0450804. However, nothing has been shown on behalf of the respondents that further steps had been taken to cancel one of the ration cards, as per the provisions of the law relating to the Essential Commodities, Act, 1955. However, the learned Government Advocate appearing for the first and the second respondents had submitted that further steps would be taken to verify and to cancel one of the two ration cards issued in favour of the third respondent, after giving him an opportunity of hearing and the action taken by the second respondent, if any, would be informed to the petitioner, on a request made by him. In such circumstances, in view of the submissions made by the learned Government Advocate

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appearing for the first and the second respondents, this Court is of the view that no further orders are necessary in the present writ petition. Hence, the writ petition stands closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1 THE DISTRICT COLLECTOR
TIRUVANNAMALAI DISTRICT
COLLECTORATE
THIRUVANNAMALAI.

2 THE TALUK SUPPLY OFFICER
CHENGAM, THIRUVANNAMALAI DISTRICT.

+1 cc to Mr.C.Prakasam,Advocate sr.42559
+1 cc to Government Pleader sr.42416

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03/09/2015

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