

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19957/2016

K.Sekar

..Petitioner

Versus

1.The District Civil Supply Officer
Collector Office, Villupuram District.

2.The Special Tahsildar [CS]
The Taluk Supply Officer
Chinnasalem Post & Taluk,
Villupuram District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to issue new family card to the petitioner viz., K.Sekar, son of Karuppan, residing at South Street, Melnariyappur village and post, Chinnasalem Taluk, Villupuram District as per the applications submitted on 22.01.2013 the petitioner application No.10/2013 and based on the petitioner representation dated 26.05.2016 and pass on the same within a reasonable time to be fixed.

For Petitioner : Mr.P.Rajavel

For Respondents: Mr.R.Govindasamy, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that he is permanently residing at South Street, Melnariyappanur Village and Post, Chinnasalem Taluk, Villupuram District. The petitioner submitted an application to the 2nd respondent on 22.01.2013 for issuance of new Family Card, enclosing necessary documents and however, no orders have been passed and therefore, he is constrained to approach this Court by filing this writ petition to pass orders on his representation dated 26.05.2016 with regard to his application No.10/2013 dated 22.01.2013 for issuance of new Family/Ration Card.

3 The learned counsel for the petitioner would submit that though the application came to be filed on 22.01.2013 and it was also acknowledged by the 2nd respondent on that day itself, no orders have been passed and therefore, the petitioner is constrained to approach this Court.

4 Per contra, Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents would submit that necessary instructions would be given to the 2nd respondent to pass orders at an early date.

5 This Court considered the rival submissions.

6 Mr.Siva Elango, the President of Satta Panchayat Iyakkam, T.Nagar, Chennai-17, has filed WP.No.34201/2014 by way of a Public Interest Litigation, praying for framing of Right to Services Act in the State of Tamil Nadu as followed in some other States and in the said writ petition, the Chief Secretary to the Government of Tamil Nadu was arrayed as the 1st respondent and on his behalf and on behalf of the Principal Secretary to the Government, Personnel and Administrative Reforms Department, Thiru P.Chithanaar, the Deputy Secretary to the Government, P&AR Department, has filed a counter affidavit, wherein it has been stated that the Government of Tamil Nadu had already ordered in G.O.Ms.No.263, Personnel and Administrative Reforms Department, dated 04.11.1997, that all the Departments shall bring out a Hand Book containing Citizen Charter from 1998-99 onwards and it should be placed in the Legislative Assembly during the Budget Session and accordingly, all the Departments of the Government, except a few Departments that lack public interface have Citizen Charter with the details of services provided by them. Apart from the Revenue Department and Social Welfare Department, the other Departments have been addressed to ensure that the realistic time limit are incorporated in the current year Citizen Charter format and all the Citizen Charters of respective Departments are available on the Tamil Nadu Government Official Website. In the additional Counter Affidavit dated 13.03.2015, sworn on behalf of the Chief Secretary in the above said writ petition, Tabular column is also provided, as to the services provided by the respective Departments and the time limit in which the applications are to be disposed of.

7 In the considered opinion of the Court, the said undertaking given on behalf of the Chief Secretary to the Government of Tamil Nadu remains only on paper and no serious efforts have been taken to implement the same, despite the directions from this Court. It is unfortunate to note that poor and downtrodden are repeatedly driven to approach this Court even to get a Family/Ration Card, which is technically an identity card for all purposes, especially, for availing benefits under the social welfare scheme. In the case on hand, the 2nd respondent acknowledged the receipt of the

application submitted by the petitioner for getting Family/Ration Card on 22.01.2013 and though more than three years had lapsed, the petitioner has not even been informed as to the stage of the said application.

8 This Court, taking into consideration, the facts and circumstances of the case, directs the 2nd respondent to consider and dispose of the application of the petitioner dated 22.01.2013 as well as the reminder dated 26.05.2016 on merits and in accordance with law, and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

9 The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The District Civil Supply Officer
Collector Office, Villupuram District.
- 2.The Special Tahsildar [CS]
The Taluk Supply Officer
Chinnasalem Post & Taluk,
Villupuram District.
3. The Chief Secretary to Government,
Government of Tamil Nadu, Fort St. George,
Chennai -9.(for necessary orders)
4. The Secretary to Government, Food & Consumer
Protection Dept., Secretariat,
Fort St. George, Chennai-9.(for necessary orders)

+1cc to Mr.P. Rajavel, Advocate, S.R.No.32093

SVI(CO)
EU(23/06/2016)

W.P.No.19957/2016