



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A. [MD] .No.598 of 2017

and

C.M.P. [MD]Nos.4975 and 4976 of 2017

1.R.Ramakrishnan

... Appellant

Vs.

1. The District Collector,
Madurai District.

2. The District Officer (Civil Supply)
Madurai District.

3. The Tahsildar (Civil Supply)
Usilampatti Taluk,
Madurai District.

4. The Incharge person/Salesman
Fair Shop No.HC 027
E.Puthupatti,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER : Writ Appeal is filed under Clause 15 of the Letters Patent, to set aside the order dated 13.04.2017 made in W.P.(MD) No.2525 of 2017 on the file of this Court.

Prayer in WP(MD). 2525/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents NO.1 to 3 to ensure the essential commodities as prescribed and applicable to petitioner Family Card NO. 24/G/0107632 without any discrimination and further take necessary actions against the erred 4th respondent in accordance with law on the basis of the petitioner representation dated 08.02.2017.



For Appellant

: Mr.C.Senthil Murugan

For Respondents

: Mr.T.S.Md.Mohideen
Additional Government Pleader

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JUDGMENT

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The unsuccessful writ petitioner has filed this intra court appeal, questioning the order dated 13 April 2017 made in W.P.(MD) No.2525 of 2017.

2.According to the writ petitioner, he is a holder of green colour ration card and therefore eligible to purchase essential commodities prescribed by the Government. According to him, he has been purchasing his monthly ration from the fourth respondent fair price shop.

3.It is the grievance of the writ petitioner that without any justification, the fourth respondent has discontinued the supply of the said essential commodities. Therefore, he filed the said writ petition. The learned single Judge dismissed the writ petition on the ground that it is not maintainable.

4.When the writ appeal was taken up for final disposal, we directed the appearance of the writ petitioner in person on 17 July 2017 and also the fourth respondent. It was made clear to the learned counsel for the writ appellant that on 17 July 2017, the appellant should be present and that he can place his indent for supply of his essential commodities, so that we could pass appropriate directions.

5.But, when the writ appeal was taken up for hearing as scheduled today, the writ appellant was not present in person. On the other hand, the personnel of the fourth respondent fair price shop are present. They made very serious allegations against the writ appellant. The writ appellant allegedly entered the fair price shop in question and also damaged the articles. As a result, crime No.222 of 2017 was registered on the file of the Usilampatti Police Station on 17 July 2017 under various sections of I.P.C. The writ appellant is stated to have threatened the officials of the fair price shop and one lady official is stated to have taken transfer just to avoid being harassed by the appellant.

6.We do not want to go into the said allegations. But, the <https://hservices.ecourt.gov.in/hservices/hservicespublicinquiry> states that the conduct of the writ appellant has given rise of registration of FIR against him. He has not bothered to appear



before us as directed by us. In fact, we wanted his appearance so that we could give some relief to him. He has not chosen to avail this opportunity. Therefore, we do not want to interfere with the order passed by the learned single Judge.

7. Accordingly, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District.
2. The District Officer (Civil Supply)
Madurai District.
3. The Tahsildar (Civil Supply)
Usilampatti Taluk,
Madurai District.
4. The Incharge person/Salesman
Fair Shop No.HC 027
E.Puthupatti,
Usilampatti Taluk,
Madurai District.

+1cc to Mr.C.Senthil Murugan, Advocate SR.No.66419
+1cc to The Spl.Government Pleader Sr.No.66416

ARUL/SKM

VB/GT/SAR3/28.07.2017/3P/7C

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and
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