



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04 .2017

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

W.P (MD) No. 2525 of 2017

R.Ramakrishnan

.. Petitioner

Vs

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

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent Nos.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 Petitioner : Mr.C.Senthil Murugan

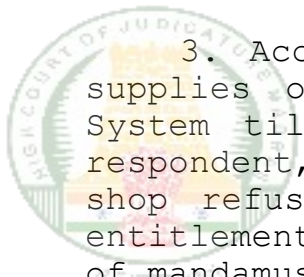
For Respondents : Mr.D.Muruganandham,

Additional Govt. Pleader for R1 to R3

ORDER

The petitioner has approached this Court seeking issuance of writ of Mandamus directing the respondent Nos.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 4th respondent in accordance with law on the basis of the petitioner's representation, dated 08.02.2017.

2. According to the petitioner, he is holding Green Colour Ration card issued by the Government of Tamil Nadu and he is eligible for purchase of rice, dal, sugar, Oil, Wheat, Kerosene and other essential commodities through Public Distribution System.



3. According to the petitioner, he was in receipt of regular supplies of commodities as available through Public Distribution System till September 2016. However, from October 2016, the 4th respondent, who is a sale person in the Public Distribution System shop refused to make any supplies to the petitioner as per his entitlement and therefore he is before this Court, seeking a writ of mandamus.

WEB COPY

4. The learned Special Government pleader was directed to take notice for the respondent and furnish relevant information to this Court as to the complaint made by the petitioner.

5. The learned counsel, who appears for the respondents, would submit that the statement made in the affidavit regarding the non-supply of commodities from October 2016, is not true and the averments made in the affidavit had been strongly disputed by him.

6. In view of the denial and facts mentioned by the petitioner in the affidavit filed in support of the writ petition, this Court cannot adjudicate the disputed question of fact and go into the factual matters raised in the writ petition. In such a view of the matter, the writ petition is not maintainable and the same is dismissed. However it is always open to the petitioner to approach the appropriate authority, in case, he has any grievance regarding and non-supply of certain commodities as per his entitlement.

7. In view of the above direction, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District.
2. The District Officer (Civil Supply),
Madurai District.
3. The Thasildhar (Civil Supply),
Usilampatti Taluk,
Madurai District.

+ 1 CC TO Mr.C.SENTHIL MURUGAN, ADVOCATE IN SR No. 52438
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 52254

AM/MSA

TE/KP : 03/05/2017 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P (MD) No.2525 of 2017
13.04.2017