

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE A.SELVAM

W.P. No.3067 of 2018

C.Prabhu .. Petitioner

-vs-

- 1.Tamil Nadu Government through
Principal Secretary, Food & Civil
Supplies Dept., Tamil Nadu,
Chennai 600 009.
- 2.The Commissioner, Food Supply
& Consumer Protection Dept.,
Chepauk, Chennai 600 005.
- 3.The District Collector,
Villupuram District, 605 602.
- 4.The Taluka Supply Officer,
Ulundurpettai, Villupuram District
606 107.
- 5.The District Supply Officer,
Villupuram District 605 602. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondent no.4 to process the Ration Card applications of villagers of Thiruppeyar, Thiruppeyar Thakka and Pudukalani on the basis of merit without any further delay and also direct the respondent no.1 to take responsibility for the inordinate delay and thus, make compensatory provisions for affected ration card applicants.

For Petitioner : Mr.C.Prabhu
Party-in-person

For Respondents : Mr.Kamalesh Kannan
Govt. Advocate for R-3.

O R D E R
(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition has been filed seeking orders in the nature of mandamus directing respondent no.4 to process the ration card applications of the villagers of Thiruppeyar, Thiruppeyar Thakka and Pudukalani without further delay and also "direct respondent no.1 to take responsibility for the inordinate delay and thus, make compensatory provisions for affected ration card applicants" and pass such further or other orders and thus, render justice.

2.Pursuant to the order of this Court, a status report signed by the Taluk Supply Officer has been filed stating that out of 36 applications, 35 applications have been recommended for printing of smart card. One application in the name of Thiru.J.Sivakumar has been rejected as no one was found to be residing at the address given in the application. A decision having been taken, the writ petition has become infructuous. The ration cards shall positively be made over within one (1) week from date.

3.So far as the prayer for compensation is concerned, there is no quantification of the damages caused by delay in issuance of smart cards. In any case, the Court exercising jurisdiction under Article 226 of the Constitution of India cannot upon affidavits adjudicate a claim for compensation, which is in the nature of a claim for damages.

4.The writ petition is, therefore, disposed of as infructuous. The disposal of the writ petition will not prevent the petitioner from claiming compensation before the appropriate forum in accordance with law, if so advised. No costs. W.M.P.No.3754 of 2018 is closed.

Sd/-

Assistant Registrar (CS-V)

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Sub Assistant Registrar

sra

To

1.The Principal Secretary to Govt. of Tamil Nadu,
Food & Civil Supplies Dept.,
Chennai 600 009.

2.The Commissioner, Food Supply
& Consumer Protection Dept.,
Chepauk, Chennai 600 005.

3.The District Collector,
Villupuram District, 605 602.

4.The Taluka Supply Officer,
Ulundurpettai, Villupuram District
606 107.

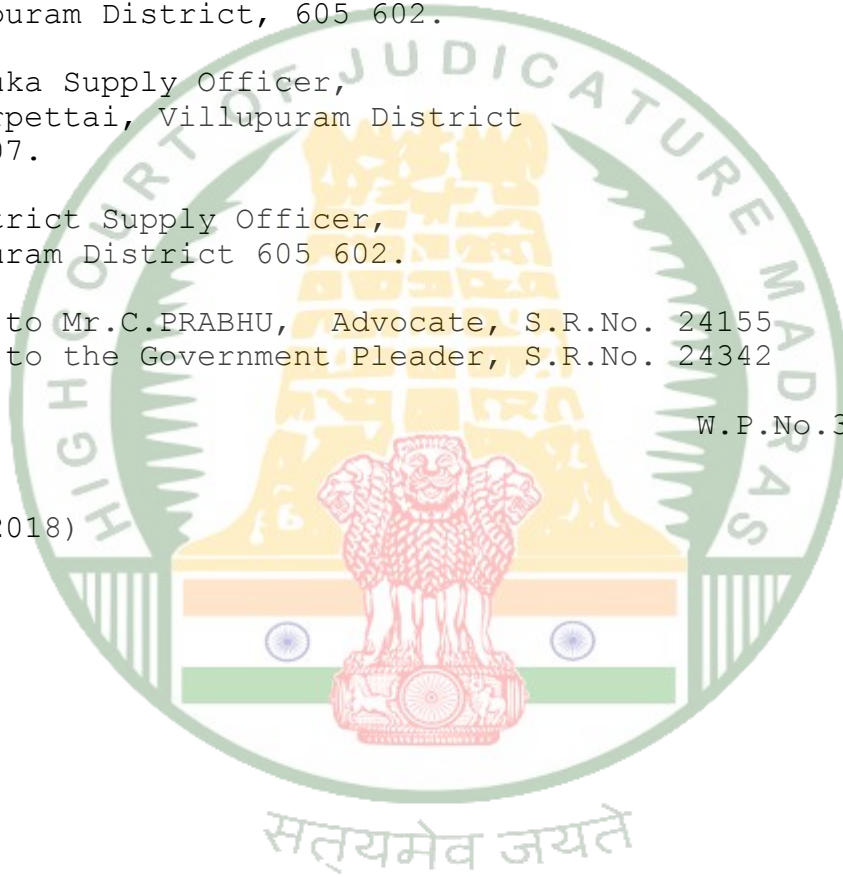
5.The District Supply Officer,
Villupuram District 605 602.

+1cc to Mr.C.PRABHU, Advocate, S.R.No. 24155

+1cc to the Government Pleader, S.R.No. 24342

W.P.No.3067 of 2018

KGK(CO)
TR(18/04/2018)



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