

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.02.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.No.4620/2020

A.Kala Anji .. Petitioner

Versus

- 1.The Secretary to Government
Cooperation, Food and Consumer
Protection Department, Secretariat,
Fort St George, Chennai 600 009.
- 2.The Secretary to Government
Revenue Department
Secretariat, Fort St George
Chennai 600 009.
- 3.The Commissioner of Civil Supplies and
Consumer Protection, Ezhilagam, IV Floor
Chepauk, Chennai 600 005.
- 4.The District Civil Supplies and Consumer
Protection Officer, Vellore District.
- 5.The District Collector
Vellore District, Vellore.

.. Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of mandamus directing the respondents herein to establish a Part Time Fair Price Shop at Pappayan Vattam Village, Ammaiappan Nagar Village Panchayat, Jolarpet Panchayat Union, Vellore District so as to enable the general public of Chinnakodiyur, Silkur, Vaalatti Vattam, Papparayan Vattam, Paikaran Vattam, Sevathan Vattam and Pachaimilagai Vattam Villages of Ammaiappan Nagar Village Panchayat, Jolarpet Panchayat Union, Vellore District to get the commodities.

For Petitioner : Mr.R.Thamaraiselvan
For Respondents : Mr.R.Vijayakumar, AGP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

- (1) By consent, the writ petition is taken up for final disposal. Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 5.
- (2) The petitioner claims to be a Public Interest Litigant and he has filed this writ petition, styled as a Public Interest Litigation, stating among other things that there are several villages in their Panchayat Union and there are about 200 families holding Family Cards/Ration Cards. It is stated by the petitioner that the essential commodities are distributed to them through a Fair Price Shop located at V.M.Vattam Village which is 5 Kms away from the Villages, viz., Papparayan Vattam Village, Jolarpet, Taluk, Vellore District, Chinnakodiyur, Silkur, Vaalatti Vattam, Papparayan Vattam, Paikaran Vattam, Sevathan Vattam and Pachaimilagai Vattam and on reaching the Fair Price Shop, they were informed that the essential commodities are not available and therefore, he came forward to file the present writ petition praying for appropriate orders/direction, directing the respondents to establish a Part Time Fair Price Shop for rendering effective and proper service in the form of timely distribution of essential articles through Family Cards/Ration Cards.
- (3) The learned counsel for the petitioner would submit that two representations dated 14.11.2011 and 04.08.2018 respectively, have been submitted to the concerned authorities/official respondents and the 3rd respondent, vide communication dated 03.10.2018 in O.Mu.No.E.C.1/20288/2018 addressed to the 4th respondent, has directed the 4th respondent to look into the representation dated 04.08.2018 submitted by the petitioner and do the needful and despite a lapse of one year and odd, no action, whatsoever, has been taken to address the grievance of the petitioner and other Family Cards/Ration Card holders and hence, the petitioner is constrained to approach this Court by filing this writ petition.
- (4) The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader appearing for respondents 1 to 5 and also perused the materials placed before it.

- (5) Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in her representation or this writ petition, directs the 4th respondent to act on the above cited communication of the 3rd respondent dated 03.10.2018 and inform the decision taken, to the petitioner within a period of four weeks from the date of receipt of a copy of this order.
- (6) The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary to Government
Cooperation, Food and Consumer
Protection Department, Secretariat,
Fort St George, Chennai 600 009.
2. The Secretary to Government
Revenue Department
Secretariat, Fort St George
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3. The Commissioner of Civil Supplies and
Consumer Protection, Ezhilagam, IV Floor
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4. The District Civil Supplies and Consumer
Protection Officer, Vellore District.
5. The District Collector
Vellore District, Vellore.

+1 CC to Mr.R.Thamaraiselvan, Advocate, sr 17281

WP.No.4620/2020

VBA (CO)
AT (22/05/2020)