

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2020

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.12309 OF 2020

AND

WMP.NO.15120 OF 2020

M/s.A..Valliyammal and Son's,
Rep. By its Proprietor,
Mr.A.Rajasekar son of Valliyammal,
No.63, R.L.Building, New Bus Stand,
Arni Town, Thiruvannamalai District.

.. Petitioner

Vs

- 1 The Government of Tamil Nadu,
rep by its Secretary, Cooperation Food and
Consumer Protection Department, Secretariat,
Chennai-09.
- 2 The District Collector,
Thiruvannamalai District, Thiruvannamalai.
- 3 The District Supply Officer,
Thiruvannamalai District, Thiruvannamalai.
- 4 The Special Tahsildar,
Civil Supplies, Arani.

.. Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the 3rd respondent to renew the petitioners' retailer registration certificate bearing No.38/ R/ Arni for the period from 01.01.2018 to 31.12.2020 within a reasonable time frame to be fixed by this Court and consequently, enable the petitioner to apply for further renewal of retail registration certificate for a period from 01.01.2021 to 31.12.2023 that should be applied on or before 31.10.2020 as per sub clause (6) of Clause 5 of the Tamil Nadu Kerosene (Regulation of Trade) Order 1973.

For Petitioner : Ms.V.Divia Bharathi
For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

ORDER

This matter is taken up for hearing through Video Conferencing mode.

2. Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the respondents.

3. This writ petition is filed seeking for a mandamus directing the 3rd respondent to renew the petitioners' retailer registration certificate bearing No.38/R/Arni for the period from 01.01.2018 to 31.12.2020 and consequently, enable the petitioner to apply for further renewal of retail registration certificate for a period from 01.01.2021 to 31.12.2023 that should be applied on or before 31.10.2020 as per sub clause (6) of Clause 5 of the Tamil Nadu Kerosene (Regulation of Trade) Order 1973.

4. Heard both sides.

5. The petitioner is an authorized dealer in Kerosene for retail distribution of the same under the public distribution system. The Registration granted to the petitioner expired on 31.12.2017. However, the petitioner applied for renewal of retail Registration Certificate on 15.11.2017 itself for a period from 01.01.2018 to 31.12.2020. The grievance of the petitioner is that the said application has not been considered so far despite repeated reminders sent to the third respondent.

6. It is seen from the proceedings of the third respondent dated 03.07.2020 that he issued a summon to the petitioner for enquiry on the application made for renewal. Therefore, it is evident that the said application made as early as in the year 2017, has not been disposed of by the third respondent so far. Even though the Registration was not renewed, it is seen that the supply of kerosene was made to the petitioner till August 2020, as could be seen from the proceedings of the Special Tahsildar, Arni dated 10.08.2020, allotting 450 litres of Kerosene to the petitioner for the month of August, 2020, towards public distribution.

7. In view of the above stated facts and circumstances, I direct the third respondent to consider the application filed by the petitioner on 15.11.2017 and pass orders on the same on

merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Till the disposal of the application, the quantity of kerosene being supplied to the petitioner shall continue. Accordingly, this Writ Petition is disposed of. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vri/mk

To

- 1 The Government of Tamil Nadu,
rep by its Secretary, Cooperation Food and
Consumer Protection Department, Secretariat,
Chennai-09.
- 2 The District Collector,
Thiruvannamalai District, Thiruvannamalai.
- 3 The District Supply Officer,
Thiruvannamalai District, Thiruvannamalai.
- 4 The Special Tahsildar,
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MG(CO)
CS/11/09/2020

सत्यमेव जयते

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