

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.16626/2020 & WMP.Nos.21140 & 21142/2020

S.Kamala

.. Petitioner

Versus

1.The District Collector
Thiruvallur District, Thiruvallur.

2.The Tahsildar
Tahsildar Office
RK Pet Taluk, Thiruvallur District.

3.The Taluk Supply Officer
Taluk Supply Office, RK Pet Taluk
Thiruvallur District.

4.The President
Mylaarvaada Panchayat
R.K.Pet Taluk
Thiruvallur District 631302.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the respondents from opening a Nadamadum Ration Shop at Beemareddyur village, Mylaarvaada Panchayat, R.K.Pet, Taluk, Thiruvallur District and consequently, directing the 1st respondent to consider and pass orders on the petitioner's representation dated 05.10.2020 and time stipulated may be filed by this Court.

For Petitioner : Mr.M.N.Kathir

For Respondents: Mr.M.Elumalai
Additional Government Pleader

ORDER

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

(1) By consent, the writ petition is taken up for final disposal and is disposed of by this order.

(2) Mr.M.Elumalai, learned Additional Government Pleader accepts notice on behalf of the respondents.

(3)The petitioner claims to be the Vice President of Mylaarvaadaa Panchayat and according to her, the Panchayat totally consists of 7 Villages, viz., Mylaarvaada, Beemareddyur, Mylaarvaada Colony, Veerappareddy Kandigai, Sengattaanoor, Chiththappanoor, Chiththappanoor Arunthathiyar Colony. It is the specific case of the petitioner that the Panchayat, viz., Mylaarvaada, there are totally 530 Ration cards and the said ration shop is located 5 or 6 Kms from Ward No.2, wherein the petitioner is residing. The petitioner, becoming aware of the fact that in Beemareddyur Village, a permanent ration shop is going to be located and it would cause inconvenience to the existing card holders and the petitioner has submitted representations dated 26.02.2020, 18.03.2020, 07.09.2020 and 05.10.2020 respectively to open a Part time ration shop in Ward No.2 and it is yet to be responded.

(4)The learned counsel for the petitioner would submit that since urgent steps have been taken to locate the permanent ration shop at Beemareddyur, against all established Norms, the petitioner, in her capacity as an elected Vice President, submitted representations and despite receipt and acknowledgment, no response is forth coming and since emergent steps are being taken to open the permanent ration shop in the said village, the petitioner is constrained to approach this Court by filing this writ petition.

(5)Mr.M.Elumalai, learned Additional Government Pleader appearing for respondents 1 to 3, on instructions, would submit that the permanent ration shop has already been opened at Beemareddyur in the light of the fact that there are more than 500 ration cards and the newly opened ration shop is also located within 1.5 Kms from Mylaarvaada and on a Government building and the petitioner who claims to be the Vice President of the Local Body cannot be expected to make any grievance and her representations are also against public interest and prays for dismissal of this writ petition.

(6)This Court has considered the rival submissions and also perused the materials placed before it.

(7)It is the policy decision to open a new ration shop at Beemareddyur in the light of the compliance of the Norms, i.e., the new ration shop would service the card holders, and also it is located 1.5 Kms away from the existing place and the decision on the part of the concerned official respondents cannot be faulted with. It also appears from the materials placed that the petitioner, being a resident of the Ward No.2 of Mylaarvaada Village, wants ration shop in the same locality wherein she is residing.

(8)This Court, in the light of the above facts and circumstances, is not in a position to pass any positive

order in favour of the petitioner herein.

(9) In the result, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

AP

To

1. The District Collector
Thiruvallur District, Thiruvallur.

2. The Tahsildar
Tahsildar Office
RK Pet Taluk, Thiruvallur District.

3. The Taluk Supply Officer
Taluk Supply Office, RK Pet Taluk
Thiruvallur District.

4. The President
Myalaarvaada Panchayat
R.K. Pet Taluk
Thiruvallur District 631302.

+1cc to the Government Pleader SR.NO.39085

+1cc to Mr.M.Gnanasekar Advocate SR.NO.39131

WP.No.16626/2020

SRA CO
SDR 19/12/2020

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