



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.1407 of 2020

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M.Sirajuddin

Son of Mohammed Abdul Khadar,
Secretary of Verkilambi Muslim Mohalla,
Kappuvilai, Verkilambi,
Thiruvattar Taluk,
Kanniyakumari District.

... Petitioner

Vs.

1.The Commissioner,
Office of the Commissioner,
Civil Supplies and Consumer Protection Department,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Kanniyakumari District,
Nagarkoil.

3.The District Supplies Officer,
Kanniyakumari District,
Nagarkoil.

4.The Taluk Supply Officer,
Civil Supplies and Consumer Protection Department,
Thiruvattar Taluk,
Kanniyakumari District.

5.The Tahsildar,
Thiruvattar Taluk,
Kanniyakumari 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 first respondent to direct the fourth respondent to supply/distribute the rice for RAMZAN FAST KANJI to VERKILAMBI MUSLIM MOHALLAH, KAPPUVILAI as per the recommendation of the fourth respondent to the third respondent for the year 2019 for Petitioner's Muslim Mohalla Verkilambi in its proceeding No.C1/117/2019, dated 30.4.2019 by considering the Petitioner's representation dated 7.1.2020 within the period stipulated by this Court.



For Respondents : Mr.M.Murugan
Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to direct the fourth respondent to supply/distribute the rice for RAMZAN FAST KANJI to VERKILAMBI MUSLIM MOHALLAH, KAPPUVILAI as per the recommendation of the fourth respondent to the third respondent for the year 2019 for Petitioner's Muslim Mohalla Verkilambi in its proceeding No.C1/117/2019, dated 30.4.2019 by considering the Petitioner's representation dated 7.1.2020.

2.Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3.By consent of parties, the main Writ Petition is taken up for final disposal.

4.The case of the Petitioner is that he is the Secretary of Petitioner/institution and every year rice was provided to them at the subsidized rate for Ramzan Fast Kanji. While-so, in the year 2019, some persons of that locality formed an association in the name of JAQH and tried to take the administration of the Muslim Mohalla under their control. In the meantime, the fourth respondent also recommended to distribute rice for the year 2019 to the Muslim Mohalla, Verkilambi. However, the said rice was distributed to JAQH under the Masjidar Rahman Muslim Muhallam, Kappuvilai. Since the said distribution is not fair, the Petitioner has sent a detailed representation on 7.1.2020 requesting the first respondent to direct the fourth respondent to supply/distribute the rice for the RAMZAN FAST KANJI to VERKILAMBI MUSLIM MOHALLAH, KAPPUVILAI. The same is said to be still pending, without any progress. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5.The learned Government Advocate appearing for the respondents would state that the Petitioner, who is the signatory to the affidavit is not the Secretary of the Petitioner institution. Therefore, it is open to the third respondent to enquire about the office of the Petitioner and pass orders considering the quality of rice issued to the unauthorized person. As it is a distribution to the tune of 1000 Kgs of rice, the third respondent should ensure that the rice reaches the right hands for distribution for preparing Kanji during the festival of Ramzan.

6.Therefore, without expressing any opinion on the merits of the claim made by the petitioner, the third respondent is directed



to consider the representation of the petitioner, dated 07.01.2020 and pass appropriate orders on the same, on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

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7.With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2020

Sub Assistant Registrar (CS)

vsn

To

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Kanniyakumari District.

5.The Tahsildar,
Thiruvattar Taluk,
Kanniyakumari District.

+1 CC to MR.A.HAJAMOHIDEEN, Advocate (SR-6971[F] dated 18/02/2020)

ORDER MADE IN

W.P (MD) No.1407 of 2020

17.02.2020

_KM/ (26.02.2020) 3P 7C

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