



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.10693 of 2021

Shiva VR

.. Petitioner

Vs

1. The Secretary,
Department of Food, Civil Supplies and Price Control,
Government of Tamil Nadu,
Fort St.George, Rajaji Road,
Chennai - 600 009.

2. The Union of India,
Rep. by its Secretary,
Ministry of Consumer Affairs, Food
and Distribution,
Krishi Bhawan, Rafi Marg,
Connaught Place, New Delhi,
Delhi - 110 001.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the first respondent to pass order fixing the prices of all Essential Commodities especially Edible Oil, Pulses and Vegetables forthwith and establish Price Monitoring Cells all over districts across Tamil Nadu for monitoring and effective implementation of the Price Control Order.

For Petitioner : Mr.S.I.Muthiah

For respondents : Mr.Veerakathiravan,
Senior Standing Counsel for
Government
for
Mr.A.K.Manickam,
Standing Counsel for
Government,
for R1



ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.S.I.Muthiah, learned counsel appearing for the petitioner and Mr.Veera Kathiravan, learned Senior Government Counsel assisted by Mr.A.K.Manickam, learned Government Counsel appearing for the first respondent.

2. The writ petitioner by way of this writ petition seeks for a positive direction upon the first respondent to pass orders fixing price of all Essential Commodities all over the State of Tamil Nadu for monitoring and effective implementation of the Price Control Order.

3. Unfortunately, such a direction cannot be issued in a writ petition filed under Article 226 of the Constitution of India. We also take note of the submission of the learned Senior Counsel appearing for the first respondent that the State Government has ensured supply of all essential articles through the Public Distribution System and special packages have been made, so that the general public, namely, ration card holders and others are not affected, on account of the non-availability of essential items.

4. In our considered view, the issue regarding price fixation is a policy matter to be decided by the appropriate Authority in accordance with the relevant statute and we are not here to issue any direction as sought for by the writ petitioner. However, we give liberty to the writ petitioner to pursue his representation before the Authorities, because within hardly ten days, the writ petition has been filed after giving representation.

5. With the above observation, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To:

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+1 CC to M/s.SPL GP (SR-20559[F] dated 29/06/2021)

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SSS(CO)
TR(05.07.2021) 3P 4C