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W.P.No.18033 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.18033 of 2022

T.Vasantha

...Petitioner

Vs.

1. Government of Tamil Nadu,
Rep. by its Principle Secretary to Government,
Food, Civil Supplies, Consumer Protection Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Commissioner,
Office of the Commissioner of Civil Supplies &
Consumer Protection Department,
Ezhilagam Building, Fourth Floor, Chepauk,
Chennai - 600 005.
3. The District Collector,
Villupuram District,
Office of District Collector Office,
Collector Office Road, Collectorate,
Moovendar Nagar, Viluppuram - 605 602.
4. The District Collector,
Cuddalore District,
Collectorate,
Gundu Salai Road, Manjakuppam,
Dhanalakshmi Nagar Extension, Cuddalore - 607 001.



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5. The District Supply Officer/Consumer Protection Officer,
Villupuram District,
Office of District Collector Office,
Collector Office Road, Collectorate,
Moovendar Nagar, Viluppuram - 605 602.
6. The District Supply Officer/Consumer Protection Officer,
Cuddalore District,
Collectorate,
Gundu Salai Road, Manjakuppam,
Dhanalakshmi Nagar Extension, Cuddalore - 607 001.
7. The Tahsildhar,
Villupuram Taluk,
Office of District Collector Office,
Collector Office Road,
Moovendar Nagar, Viluppuram - 605 602.
8. The Tahsildhar,
Kurinjpadi Taluk Office,
4th Street, SKS Nagar,
Cuddalore - 607 302.
9. The Taluk Supply Officer,
Villupuram Taluk, Taluk Office Complex,
Collector Office Road,
Moovendar Nagar, Viluppuram – 605 602.
10. The Taluk Supply Officer,
Kurinjpadi Taluk, Taluk Office Complex,
4th Street, SKS Nagar,
Cuddalore - 607 302.
11. R.Kamalam



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12. R.Panchatcharam

13. R.Pattabiraman

...Respondents

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 5 and 6 to take appropriate legal action against the respondents 11 to 13 and to take suitable departmental/disciplinary actions against the delinquent/erred officials and seize the two illegal family cards and to impose heavy fine, penalty, costs and to recover all the illegal/unlawful gains, grants, gifts, relief, funds and etc., which was received by playing their fraudulent practices and on the basis illegal family cards under the provisions of the Tamil Nadu Revenue Recovery Act, 1864 in pursuance of the order dated 05.11.2019 in Na.Ka.No.E1/28794/2019 passed by the 2nd respondent, Commissioner of Civil Supplies and Consumer Protection Department, Ezhilagam Building, Chepauk, Chennai - 600 005.

For Petitioner : Mr.R.Anandha Babu

For Respondents : Mr.M.Alagu Gowtham, GA, for R1 to R10)
Mr.V.Rajesh Babu, for R11 to R13.

ORDER

This Writ petition has been filed seeking direction to the 5th & 6th respondents to take action against the respondents 11 to 13 and to take suitable departmental/disciplinary actions against the delinquent/erred officials, who were involved in obtaining two illegal family cards, under the provisions of the Tamil Nadu Revenue Recovery Act, 1864 in pursuance of



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the order dated 05.11.2019 in Na.Ka.No.E1/28794/2019 passed by the 2nd respondent.

2. The case of the petitioner is that, the elder brother of the petitioner's husband namely, A.Rengasamy and the private respondents herein, who are the legal heirs of the said Rengasamy are having two family cards from two different districts, one from Villupuram and other from Cuddalore, and obtained the same by illegal means and by creating fraudulent documents, by colluding with the erred officials and they are enjoying the public distribution system provisions, relief, funds, subsidies and other reliefs granted by both State as well as the Central Government in both the districts. The said Rengasamy died and thereafter, the private respondents herein being the legal heirs of the said Rengasamy are enjoying the said benefits granted by the Government. Therefore, the petitioner sent a legal notice dated 30.10.2019 to the respondents along with the relevant documents, seeking to take action against the erred officials. Pursuant to which, the 2nd respondent, vide proceedings dated 05.11.2019 bearing Na.Ka.No.E1/28794 /2019, directed the 5th and 6th respondents to take action in respect of the petitioner's notice/representation and report the



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same. However, till date, no action has been initiated by the 5th & 6th respondents. Hence, this Writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 5th and 6th respondents to conclude the proceedings initiated by the 2nd respondent in Na.Ka.No.E1/28794/2019 dated 05.11.2019 and to consequently, take action against the private respondents and take suitable departmental/disciplinary actions against the delinquent/ erred officials, who were involved in obtaining two illegal family cards, under the provisions of the Tamil Nadu Revenue Recovery Act, 1864.

4. Learned Government Advocate appearing for the official respondents submitted that, the State Public Distribution System has been fully computerized through "End-to-End Computerization Scheme". The "End-to-End Computerization of Public Distribution System" has been operationalized to facilitate monitoring of activities on real time basis. A web-based solution has been put in place to automate supply chain



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completely. "Point of Sale" (PoS) devices have been provided at each Public Distribution System (in short 'PDS') outlet to capture every transaction on real time basis. Registration of family card details and seeding of Mobile Numbers and Aadhar Numbers are being done using the POS devices. Every transaction in supply chain from stock entry in godowns to distribution to cardholders is captured and monitored through web-based portal. Since, 01.04.2017, smart cards have been issued on the basis of Aadhaar number enrollment and mobile number. Hence, it is evident that one person cannot register for a new card in other Districts of Tamil Nadu and the system will not accept the same. Therefore, the contention of the petitioner that A.Rengasamy and his legal heirs are having two family cards from two different Districts is totally wrong. The details extracted from the Public Distribution System web portal for the above cards in respect of Villupuram District is as below:-

Averments made by petitioner		As per Public Distribution System Web Portal			
Family card Number (old)	Name & Address	Present smart card number	Name & Address	Phone Number used	Aadhar Number used
07/G/06 44650	Mr.A.Rengasamy, S/o Arikrishnan	333579 099985	Kamalam W/o Rengasamy	8526411 235	2364 2481



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	Kedar Village,		One member card		3450
07/G/06 44658	R.Panchatcharam S/o Rengasamy Kedar Village,	No data found	No data found	No data found	No data found
07/G/06 44659	R.Pattabiraman S/o Rengasamy, Kedar Village,	No data found	No data found	No data found	No data found

5. Heard learned counsel on either side and perused the materials available on record.

6. A perusal of the material documents placed on record, particularly the counter affidavit filed by the 5th respondent reveals that, as the State Public Distribution System has been fully computerized through "End-to-End Computerization Scheme" to facilitate monitoring of activities on real time basis and registration of family card details and seeding of Mobile Numbers and Aadhar Numbers are being done using the POS devices, and it is the stand of the 5th respondent that, one person cannot register for a new card in two Districts of Tamil Nadu and the system will not accept the same and also submitted the details extracted from the Public Distribution System web portal for the above cards in respect of Villupuram District.



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7. In view of the above, the contention of the petitioner that A.Rengasamy and his legal heirs are having two family cards from two different districts, which were obtained by illegal means cannot be countenanced.

8. For the reasons aforesaid, this Writ petition stands dismissed. No costs.

29.03.2023
(2/2)

skt

NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

1. Government of Tamil Nadu,
Rep. by its Principle Secretary to Government,
Food, Civil Supplies, Consumer Protection Department,
Fort St. George, Secretariat,
Chennai - 600 009.

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M.DHANDAPANI., J.

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