



W.P.(MD) No.218 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.218 of 2024
and
W.M.P.(MD) No.236 of 2024**

Swamimalai Sundara Vimal Nathan

... Petitioner

-VS-

1.State of Tamil Nadu, represented by,
The Principal Secretary,
Co-operation, Food and Consumer Protection Department,
State of Tamil Nadu,
Fort St.George, Secretariat,
Chennai – 600 009.

2.State of Tamil Nadu, represented by,
The Agricultural Production Commissioner/Principal Secretary,
Department of Agriculture,
State of Tamil Nadu,
Fort St.George, Secretariat,
Chennai – 600 009.

3.The Commissioner,
Department of Civil Supplies and Consumer Protection,
Ezhilagam, Chennai – 600 005.



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4.The Commissioner,
Commissionerate of Agriculture,
Chepauk, Chennai – 600 005.

5.The Registrar of Co-operative Societies,
No.100, EVR Road,
Kilpauk,
Chennai 600 010

6.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Kilpauk, Chennai 600 010.

7.Directorate of Agriculture,
represented by,
The Director,
Directorate of Agriculture,
Chepauk, Chennai – 600 005.

8.The District Collector,
Office of the District Collector,
Tiruchirappalli District – 620 001

9.The District Collector,
Office of the District Collector,
Thanjavur District – 613 010

10. The Joint Registrar of Co-operatives,
Office of the Joint Registrar of Co-operatives,
M.C.Road, Thanjavur – 613 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of the Public Interest Writ Petition for pleased to issue Writ of Mandamus directing the respondents to purchase and distribute 'Jaggery'



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instead of "White Sugar" for all the Ration Card Holders of Thanjavur District and other Districts in the Southern Part of Tamil Nadu as the part of "Pongal Gift Hamper 2024" consequently direct the respondents to provide Pongal Gift Hamper comprising of 2 Pongal Sugar Cane 1 kg of Jaggery, 2 Coconuts, 2 Betel Leaves, Cashews 50 gm and Cardamom 10 gm in accordance with law within the time stipulated by this Court.

For Petitioner	:	Mr.R.Alagumani
For R1-R5, R7-R10	:	Mr.P.Thilak Kumar Government Pleader
For R6	:	Mr.Veerakathiravan Additional Government Pleader Assisted by Mr.G.Mohan Kumar Standing Counsel

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The relief sought for in the present writ petition is to direct the respondents to purchase and distribute "Jaggery" instead of "White Sugar" for all the Ration Card Holders of Thanjavur District and other Districts in the Southern Part of Tamil Nadu as the part of "Pongal Gift Hamper 2024" and for a consequential direction to the respondents to provide Pongal Gift Hamper



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comprising of 2 Pongal Sugar Cane 1 kg of Jaggery, 2 Coconuts, 2 Betel Leaves, Cashews 50 gm and Cardamom 10 gm in accordance with law within the time stipulated by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal.

3. The learned counsel for the petitioner submits that the petitioner has sent a representation dated 13.12.2023 through e-mail to the respondents in which the petitioner requested to purchase and to distribute 'Jaggery' instead of "White Sugar" for all the Ration Card Holders in the State of Tamil Nadu for "Pongal Gift Hamper 2024". The learned counsel for the petitioner would further submit that the Government has announced that a sum of Rs.1000/- will be paid to the Ration Card Holders along with "Pongal Gift Hamper' 2024" and the said amount may be paid through the bank account for the benefit of the Ration Card Holders.



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4. Mr.Veerakathiravan, learned Additional Advocate General appearing for the respondents has submitted that the petitioner's prayer is only with regard to purchase and distribution of "Jaggery" instead of "White Sugar" for all the Ration Card Holders in the State of Tamil Nadu. According to him, the Government has already taken a decision and issued a Government Order in G.O. 2D.No.01, Co-operation, Food and Consumer Protection (D1) Department, dated 02.01.2024. He would also submit that based on the reports submitted by the Tamil Nadu Civil Supplies Corporation, the entire distribution has been finalized and at this juncture, if any direction be passed by this Court to the respondents, it is practically impossible to procure "Jaggery" and distribute to the public. According to the learned Additional Advocate General, the request of the petitioner could not be entertained through this Public Interest Litigation.

5. The learned Additional Advocate General appearing for the respondents would strongly oppose the submission of the learned counsel for the petitioner with regard to payment of Rs.1000/- through bank account since the petitioner has not sought for the said prayer in this Writ Petition. Therefore, he prays for dismissal of this Writ Petition as a whole.



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6. We have given our anxious consideration to the submissions made on either side and perused the materials available on record.

7. As far as the first submission of the learned counsel for the petitioner is concerned, the Government has already issued G.O.2D.No.01, Co-operation, Food and Consumer Protection (D1) Department dated 02.01.2024. At this juncture, we cannot consider the request of the petitioner since the petitioner has approached this Court in the last hour. We have accepted the contention of the respondents that the entire procurement process has been finalized and they are ready for distribution of 1 kg of rice, 1 kg sugar and one sugar cane on 10.01.2024. Therefore, the request of the petitioner regarding purchase and distribution of "Jaggery" instead of "White Sugar" for all the Ration Card Holders in the State of Tamil Nadu is rejected.

8. As far as the contention of the learned counsel for the petitioner that a sum of Rs.1000/- may be paid through bank account is concerned, according to the petitioner, he has made a specific averment in the affidavit filed



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in support of the Writ Petition as well as sought for interim prayer and therefore, learned counsel for petitioner requested before this Court to pay the said amount through Bank account, but, according to the learned Additional Advocate General appearing for respondents, many Ration Card holders may not have bank account, for this year the said amount cannot be paid through bank account and further, this year the Government has taken a decision to distribute the said amount by cash and hence the said prayer of the petitioner is also liable to be rejected.

9. Since the petitioner has approached this Court in the last hour, we are of the view that the concerned respondents, if possible, can consider the request of the petitioner with regard to payment of money in the bank account, if the Ration Card Holders are opted and take a decision on or before 11.01.2024. If there is any difficulty to consider the request of the petitioner at present, the Government can consider the request of the petitioner in the interest of the public in large and take appropriate decision for the Ration Card Holders, who are having bank account, for payment of the said amount in the next year.



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10. Further, it is needless to state that the respondents shall collect all the details and particulars of the bank account of the Ration Card Holders for considering the payment of the said amount to the bank account for the next academic year at the option of the eligible beneficiaries.

11. In fine, this Writ Petition stands disposed of with above direction. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM



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To:

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Co-operation, Food and Consumer Protection Department,
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Chennai – 600 009.
- 2.The Agricultural Production Commissioner/Principal Secretary,
Department of Agriculture, State of Tamil Nadu,
Fort St.George, Secretariat, Chennai – 600 009.
- 3.The Commissioner,
Department of Civil Supplies and Consumer Protection,
Ezhilagam, Chennai – 600 005.
- 4.The Commissioner,
Commissionerate of Agriculture, Chepauk, Chennai – 600 005.
- 5.The Registrar of Co-operative Societies,
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- 6.The Managing Director,
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