

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

MONDAY, THE 21ST DAY OF FEBRUARY 2022 / 2ND PHALGUNA, 1943

WP(C) NO. 4224 OF 2022

PETITIONER:

JESSY JACOB,
AGED 58 YEARS,
W/O JACOB,
KANJIRAKATTU SRAMBIKKAL HOUSE,
VELLARAMKUNNU P.O.,
KUMILY, IDUKKI DISTRICT-685 507.

BY ADVS.
P.C.CHACKO (PARATHANAM)
ASHA P.KURIAKOSE

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR,
IDUKKI CIVIL STATION,
PAINAAV P.O.,
IDUKKI DISTRICT-685 603.
- 2 THE DISTRICT SUPPLY OFFICER,
IDUKKI, CIVIL STATION,
PAINAAV P.O.,
IDUKKI DISTRICT-685 603.
- 3 THE TALUK SUPPLY OFFICER,
KUTTIKKANAM P.O.,
PEERUMEDU TALUK,
IDUKKI DISTRICT-685 531.

SMT.PARVATHY KOTTOL, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 21st day of February, 2022

The petitioner is a woman, working as a Sales girl in ARD No.4 of Kumily Panchayat, Peerumedu Taluk. The petitioner has approached this Court seeking to direct the 2nd respondent to consider Ext.P6 representation submitted by her for grant of licence in respect of ARD No.4 of Kumily Panchayat in the light of Sub Clause 5 of Clause 37 in Ex.P7 Kerala Targeted Public Distribution System (Control) Order, 2021.

2. When this writ petition came up for hearing today, the learned counsel for the petitioner submitted that the petitioner has submitted a proper application in Form G of the Order, 2021 to the 2nd respondent-District Supply Officer for grant of licence. Ext.P8 is the application dated 16.02.2022 filed by the petitioner.

3. As the claim of the petitioner for grant of licence of ARD has a statutory character, this Court is of the view that when the petitioner has made an application as evidenced by Ext.P8, the 2nd respondent is bound to consider the said application within a reasonable time, in accordance with law.

In the circumstances, the writ petition is disposed of directing the 2nd respondent to consider Ext.P8 application submitted by the petitioner, if it is in the proper form and is supported by all relevant documents, within a period of two months. It is made clear that this Court has not pronounced anything on merit of the claim made by the petitioner in the writ petition.

Sd/-
N. NAGARESH
JUDGE

SR

APPENDIX OF WP (C) 4224/2022

PETITIONER'S EXHIBITS:

Exhibit P1	TRUE COPY OF THE CONSENT GIVEN BY THEN LICENSEE THRESSIAMMA MATHEW IN RESPECT OF ARD NO.4 IN KUMILY PANCHAYAT IN FAVOR OF THE PETITIONER DATED 19.7.2012
Exhibit P2	TRUE COPY OF THE ENTRY MADE IN THE SALESMAN REGISTER IN RESPECT OF ARD NO.4 IN KUMILY PANCHAYAT BY THE 3RD RESPONDENT DATED 11.7.2011
Exhibit P3	TRUE COPY OF THE REPRESENTATION DATED 16.10.2018 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT
Exhibit P4	TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE HON'BLE MINISTER FOR FOOD AND CIVIL SUPPLIES DATED 7.3.2020
Exhibit P5	TRUE COPY OF THE REPRESENTATION DATED 3.2.2022 GIVEN TO THE 1ST RESPONDENT
Exhibit P6	TRUE COPY OF THE REPRESENTATION DATED 3.2.2022 GIVE TO 2ND RESPONDENT
Exhibit P7	TRUE COPY OF THE CLAUSE 26 TO 37 OF KERALA TARGETED PUBLIC DISTRIBUTION SYSTEM (CONTROL) ORDER 2021
Exhibit P8	TRUE COPY OF THE APPLICATION DATED 16.02.2022 SUBMITTED BY ME TO THE 2ND RESPONDENT.

SR

//TRUE COPY//

PA TO JUDGE