

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**WEDNESDAY, THE 30TH NOVEMBER 2011 / 9TH AGRAHAYANA 1933**

**WP(C).No. 29237 of 2011(D)**  
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**PETITIONER(S):**  
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**ELIZEBATH E.D., W/O. RAJU,  
PUTHUPADICKAL HOUSE,  
PANDIPARA P.O., THANGAMANI VILLAGE,  
IDUKKI DIST.**

**BY ADV. SRI.T.J.MICHAEL**

**RESPONDENT(S):**  
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- 1. STATE OF KERALA,  
REP. BY DISTRICT COLLECTOR, IDUKKI,  
PAINAVU P.O., IDUKKI-685 603.**
- 2. DISTRICT SUPPLY OFFICER,  
DISTRICT SUPPLY OFFICE, PAINAVU P.O.,  
IDUKKI-685 603.**

**GOVT.PLEADER SRI.MOHAMMED SHAH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 30/11/2011, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**WPC NO.29237/11**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1: COPY OF THE NOTIFICATION INVITING APPLICATIONS FOR  
ARD NO.130 DT 7.9.11.**

**EXT.P2: COPY OF THE LETTER FROM DISTRICT INFORMATION OFFICER,  
IDUKKI DT 3.10.11.**

**EXT.P3: COPY OF LETTER ISSUED BY THE SECRETARY, KAMAKSHI GRAMA  
PANCHAYATH DT 27.9.11.**

**EXT.P4: CASTE CERTIFICATE ISSUED BY THE TAHSILDAR,  
UDUMBANCHOLA DATED NIL.**

**//TRUE COPY//**

**P.A. TO JUDGE**

**Rp**

**ANTONY DOMINIC, J.**  
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**W.P.(C) NO. 29237 OF 2011**  
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**Dated this the 30<sup>th</sup> day of November, 2011**

**J U D G M E N T**

The challenge in the writ petition is against Ext.P1, a notification issued by the respondents inviting applications for appointment of ARD No.130 of Ward No.8 of Kamakshi Panchayat. The first contention raised is that the shop in question was initially run by a scheduled caste candidate being one reserved for that category and that renotification was necessitated when the said appointee surrendered the licence. Petitioner contends that when such renotification was issued, it should have been retained for the SC category instead of reserving it for women as done in Ext.P1.

2. Learned Government Pleader on instruction submits that there is no earmarked reservation of any particular shop, for any category and that on the other hand in terms of the provisions of the Kerala Rationing Order, 8% shops are reserved in favour of scheduled caste candidate. It is submitted that there are 694 ration shops in Idukki District and that presently against the 56 eligible number, 20 shops are already allotted. It is

**:2 :**

submitted that applications were invited in respect of 8 shops and from out of the 8 shops, 4 were reserved for SC/ST categories, 1 for physically handicapped and three for women. It is also submitted that women are entitled to 20% reservation and that against the requirement of 139 shops, only 97 are already allotted to them.

3. Thus, it can be seen that every effort is being made to give the required percentage of shops to all categories including SC and women. No rule has been shown to me requiring the authorities to continue to maintain shop once allotted to SC category to that category alone. In such circumstances, I do not find any illegality in issuing Ext.P1 reserving the shop in question to women.

4. Another contention raised by the learned counsel for the petitioner is that Ext.P1 notification was issued on 7/9/11 and that the applications were directed to be submitted on or before 10/10/11. It is submitted that the time was inadequate and therefore many persons could not submit their applications. First of all, counsel could not show me any statutory provision fixing any prescribed period for submitting applications. Going by the

**WPC No.29237/11**

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contents of Ext.P1 itself, more than a months time has been given, and therefore, there is absolutely no illegality in Ext.P1. I am not satisfied that the petitioner has made out a case for interference.

Writ petition is dismissed.

**ANTONY DOMINIC, JUDGE**

Rp