

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 10491 of 2010 (J)

PETITIONER:

**PALAPETTY MOHAMMED,S/O.MOIDEEN,
PARAMBIL PEEDIKA, THENHIPALAM, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE**

RESPONDENTS:

- 1. THE DISTRICT SUPPLY OFFICER, OFFICE OF
THE DISTRICT SUPPLY OFFICE, MALAPPURAM.**
- 2. THE TALUK SUPPLY OFFICER,
TIRURANGADI.**
- 3. THE AUTHORISED RETAIL DISTRIBUTOR
(ARD-86) PARAMBIL PEEDIKA, TIRURANGADI TALUK,
MALAPPURAM DISTRICT.**

BY GOVERNMENT PLEADER SRI.P.V.ELIAS

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: TRUE COPY OF THE RATION CARD BEARING NO.2055046224 ISSUED TO THE PETITIONER AND HIS FAMILY
- EXT.P2: TRUE COPY OF THE COMMUNICATION DATED 16.3.2010 ISSUED BY THE 1ST RESPONDENT.
- EXT.P3: TRUE COPY OF THE JUDGMENT DATED 28.11.1986, IN O.P.NO.9011/1986
- EXT.P4: TRUE COPY OF THE ORDER NO.26021/171/86/IC PASSED BY GOVERNMENT OF INDIA
- EXT.P5: TRUE COPY OF THE ORDER DATED 03.09.1991, PASSED BY THE GOVERNMENT OF INDIA
- EXT.P6: TRUE COPY OF THE RESIDENTIAL PERMIT
- EXT.P7: TRUE COPY OF THE APPLICATION DATED 29.03.2004
- EXT.P8: TRUE COPY OF THE LETTER DATED 06.04.2003, ISSUED BY THE DISTRICT COLLECTOR
- EXT.P9: TRUE COPY OF THE COMMUNICATION DATED 22.03.2005 ISSUED BY GOVERNMENT OF INDIA
- EXT.P9(a): TRUE COPY OF THE IDENTICAL COMMUNICATION ISSUED BY GOVERNMENT OF INDIA, DATED 27.11.2006
- EXT.P9(b): TRUE COPY OF THE IDENTICAL COMMUNICATION ISSUED BY GOVERNMENT OF INDIA, DATED 05.01.2007
- EXT.P10: TRUE COPY OF THE APPLICATION, DATED 11.02.2010
- EXT.P10(a): TRUE COPY OF THE CHALAN DATED 15.2.2010
- EXT.P11: TRUE COPY OF THE COMMUNICATION, DATED 27.01.1996 ISSUED BY THE DISTRICT COLLECTOR
- EXT.P12: TRUE COPY OF THE NATIVITY CERTIFICATE DATED 22.12.1995, ISSUED BY THE VILLAGE OFFICER, NEDIYIRIPPU

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P A TO JUDGE

MJL

C.K. ABDUL REHIM, J.

W.P.(C)No.10491 of 2010

Dated this the 7th day of January, 2015

JUDGMENT

Challenge in this writ petition was against cancellation of a 'Ration Card' issued to the family of the petitioner, showing the name of the petitioner as head of the family. Evidently the cancellation was made based on a report submitted by the Superintendent of Police, Malappuram to the District Supply Officer, to the effect that the petitioner is a Pakistan citizen, who is not entitled to hold a 'Ration Card'.

2. It is submitted by learned counsel appearing for the petitioner that the petitioner had since expired, during pendency of this writ petition. This court takes note of the interim order passed on 05/04/2010 in the above writ petition to the effect of directing the District Supply Officer that if any application is received from the family members with respect to issuance of ration articles, it should be verified and considered as to whether the remaining family

members can be issued with ration articles.

3. This court is of the view that interest of justice can be achieved by granting liberty to the family members of the deceased petitioner to approach the authority concerned for issuance of a fresh 'Ration Card', or for issuance of ration articles based on the fact that the petitioner herein, who was shown as head of the family, is no more. If any such approach is made, it is for the authority concerned to take appropriate decision on the subject.

The writ petition is hereby closed subject to the observations contained herein above.

Sd/-C.K. ABDUL REHIM
JUDGE

MJL