

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2015

CORAM:

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

W.P.NO.29498 OF 2015
and M.P.No.1 of 2015

Pushpalatha @ Menaka

... Petitioner

Vs.

1. The Commissioner,
Civil Supplies and Consumer Protection
Department, Ezhilagam Main Building,
4th Floor, Chepauk, Chennai - 5,

2. Assistant Commissioner/Administrative
Officer, Civil Supplies and Consumer
Protection Department, Thiruvettiur Zone,
Chennai - 600 019.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for the relief of issuance of writ of mandamus to direct the 2nd respondent to entertain the application for name deletion of minor child Noothana Prasad and issue deletion certificate deleting his name in Family Card No.01/G/0018523 in time bound manner.

For Petitioner : Mr.R.Chandrasudan

For Respondent : Mr.L.P.Shanmughasundaram, Spl.G.P.

ORDER

The petitioner has come forward to file this writ petition seeking for the relief of issuance of writ of mandamus to direct the 2nd respondent to entertain the application for name deletion of minor child Noothana Prasad and issue deletion certificate deleting his name in Family Card No.01/G/0018523 in time bound manner.

2. It appears that there was a decree for divorce between the petitioner and her husband - Mukande @ B.Krishnaraj in H.M.O.P.No.2616 of 2015 on the file of Principal Family Court, Chennai. The other application filed by the petitioner in

H.M.O.P.No.1857 of 2009 on the file of I Additional Family Court, Chennai was allowed to the effect that the petitioner is entitled to have the child - Noothana Prasad under her custody and the Ex.husband of the petitioner shall have visitation rights in respect of the child. In pursuant to the decree of divorce granted in H.M.O.P.No.2616 of 2015, the petitioner's name was deleted in the ration card. The grievance of the petitioner is that the application made by her with respect to the minor child - Noothana Prasad to delete his name from the ration card of the Ex.husband of the petitioner has not been entertained. Hence, the present writ petition has been filed.

3. Learned Special Government Pleader appearing for respondents submitted that if the petitioner submits the application for name deletion for minor child Noothana Prasad as required, her request would be considered. Learned counsel appearing for the petitioner submitted that the same would be done immediately.

4. Considering the same, the writ petition is disposed of by directing the petitioner to file an application before the 2nd respondent seeking deletion of the name of her son - Noothana Prasad from the ration card of her Ex.husband, by enclosing the copies of the orders and decrees passed in H.M.O.P.No.2616 of 2015 on the file of Principal Family Court, Chennai and H.M.O.P.No.1857 of 2009 on the file of I Additional Family Court, Chennai and deletion certificate issued by the 2nd respondent dated 22.3.2015 as well as the Family Card issued in her name in the month of June, 2015. After receipt of the same, the 2nd respondent will have to pass appropriate orders deleting the name of the petitioner's minor child from the ration card of her Ex.husband - Mukande @ B.Krishnaraj within a further period of four weeks thereafter. The writ petition is ordered accordingly. However, there is no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

sd/-

ASSISTANT REGISTRAR (CS-V)

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

usk

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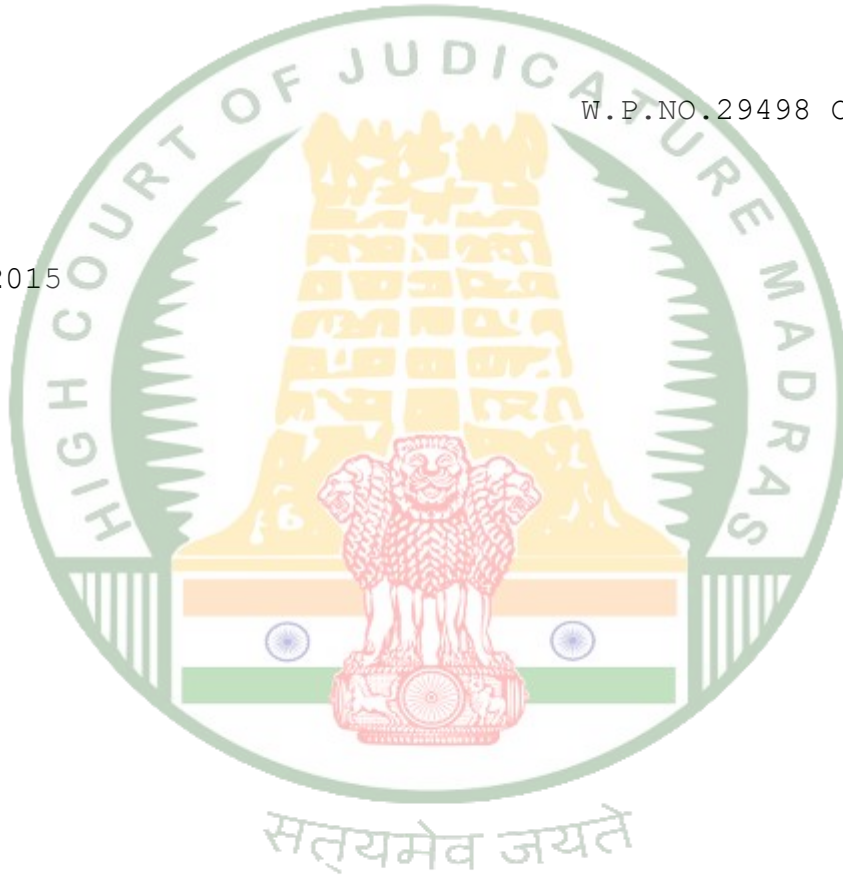
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2. Assistant Commissioner/Administrative
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Chennai - 600 019.

+1 CC to Mr. R.Chandrasudan Advocate. SR.NO. 55001
+1 CC to Govt.Pleader. SR.NO.55592

W.P.NO.29498 OF 2015

CO-KGK
JD 19/10/2015



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