

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.39314/2016

C.Kavitha

..

Petitioner

Vs

1.The Commissioner

Civil Supplies & Consumer Protection
Department, [St. Thomas Mount Div]
Chennai.

2.The Joint Commissioner

Civil Supplies & Consumer Protection
Department, [St. Thomas Mount Div]
Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to issue a ration card to the petitioner herein as per her application dated 13.08.2016.

For Petitioner : Mr.K.Gajendiran
For RR 1 & 2 : Mr.Digvijaypandian, AGP

ORDER

Heard Mr.K.Gajendiran, learned counsel for the petitioner ;
Mr.Digvijaypandian, learned Additional Government Pleader who accepts
notice on behalf of the respondents and with the consent on either side,
the writ petition is taken up for final disposal.

2 The case of the petitioner is that she was married to one Dakshinamoorthy in the year 2006 and out of the said wedlock, a male child was born in the year 2007 and her husband deserted her as she could not meet his dowry demand. The petitioner also filed MC.No.41/2009 on the file of the Judicial Magistrate Court, Tambaram, seeking maintenance, which was also ordered on 16.08.2010, by directing the respondent therein to pay a sum of Rs.9000/- per month towards maintenance. But, the husband of the petitioner did not comply with the said order. When the petitioner approached the respondents for issuance of a new Family Card along with an application dated 13.08.2016, she was asked to produce the decree of divorce and the Birth Certificate of the child, vide communication of the respondents dated 20.09.2016 . Since no divorce petition has been filed, she sent a detailed reply through his Counsel on 30.09.2016 narrating the events and requested for issuance of a new Family Card in her name. Since no response is forth coming, she came forward to file the present writ petition before this Court.

3 The learned Additional Government Pleader would submit that the petitioner should produce the original Family Cards issued in the name of her father and in the name of her husband so as to verify

as to whether her name has been included in the said Cards or not and if it is found to be included, then her name has to be deleted in those cards at the first instance and thereafter, she should apply afresh along with a copy of her Aadhar Card.

4 In view of the above submissions, the respondents are directed to consider the application of the petitioner dated 13.08.2016, on merits and in accordance with law and subject to the condition, the petitioner produces the original Family Cards of her father as well as that of her husband, so as to enable the authorities to verify the details of the inclusion/deletion of her names in those cards.

5 The writ petition stands disposed of with the above direction. No costs.

10.11.2016

AP

B.RAJENDRAN, J.,
AP

To

- 1.The Commissioner
Civil Supplies & Consumer Protection
Department, [St. Thomas Mount Div]
Chennai.
- 2.The Joint Commissioner
Civil Supplies & Consumer Protection
Department, [St. Thomas Mount Div]
Chennai.

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