

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9190 of 2016

T.Ponnusamy

... Petitioner

Vs.

1. The District Collector,
Villupuram District, Villupuram.

2. The Tahsildar, Civil Supplies,
Kallakurichi Taluk,
Villupuram District.

3. The Tahsildar, Civil Supplies,
Chinna Salem Taluk,
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to consider the petitioner's representation, dated 05.01.2016 seeking for issuance of the family card and pass orders granting Family Card to the petitioner.

For Petitioner : Mr.V.Gunasekar

For Respondents : Mr.M.Dig Vijay Pandian,
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the third respondent to consider the petitioner's representation, dated 05.01.2016 seeking for issuance of the family card and pass orders granting Family Card to the petitioner.

2. In the affidavit filed in support of the Writ Petition, it is averred by the petitioner (T.Ponnusamy, S/o Thomotharan) that he is residing at West Kaatu Kottai, Manmalai Post, Chinna Salem Taluk, Villupuram District. After his marriage, earlier,

he applied to the second respondent for deletion of his name and also his wife's name, who is also from the same village, from the respective parents' Family Card; on enquiry, the second respondent deleted their names to enable the petitioner to apply fresh Family Card for his family and also issued necessary certificate for the same. By enclosing the said deletion certificate issued by the second respondent, the petitioner applied to the second respondent on 13.12.2011 for new Family Card and though the same was acknowledged, no action was taken. In the meantime, the second respondent-Taluk Office got bifurcated into two Taluks, namely (i) Kallakurichi Taluk and (2) Chinna Salem Taluk. The petitioner's village comes under Chinna Salem Taluk. In spite of the petitioner's request, no action was taken. Hence, the petitioner sent several representations and lastly, he sent a representation, dated 05.01.2016 by RPAD to the respondents to issue Family Card. It is further stated that the first respondent, by proceedings, dated 18.01.2016 in Ref.No.Na.Ka.K1/386/2016, directed the third respondent to take necessary steps for issuance of the Family Card to the petitioner and send a report. No steps were taken by the third respondent. It is further stated by the petitioner that in a similar case, based on the order of this Court in W.P.No.2306 of 2016, dated 22.01.2016, the third respondent issued the Family Card to the petitioner therein. Since no action was taken in respect of the petitioner herein, he has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Considering the limited scope of the prayer made in the Writ Petition, without going into the merits of the claim of the petitioner, this Court directs the third respondent to consider the said representation, dated 05.01.2016 of the petitioner, conduct enquiry, give an opportunity of hearing to the petitioner and necessary parties and thereafter pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

CS

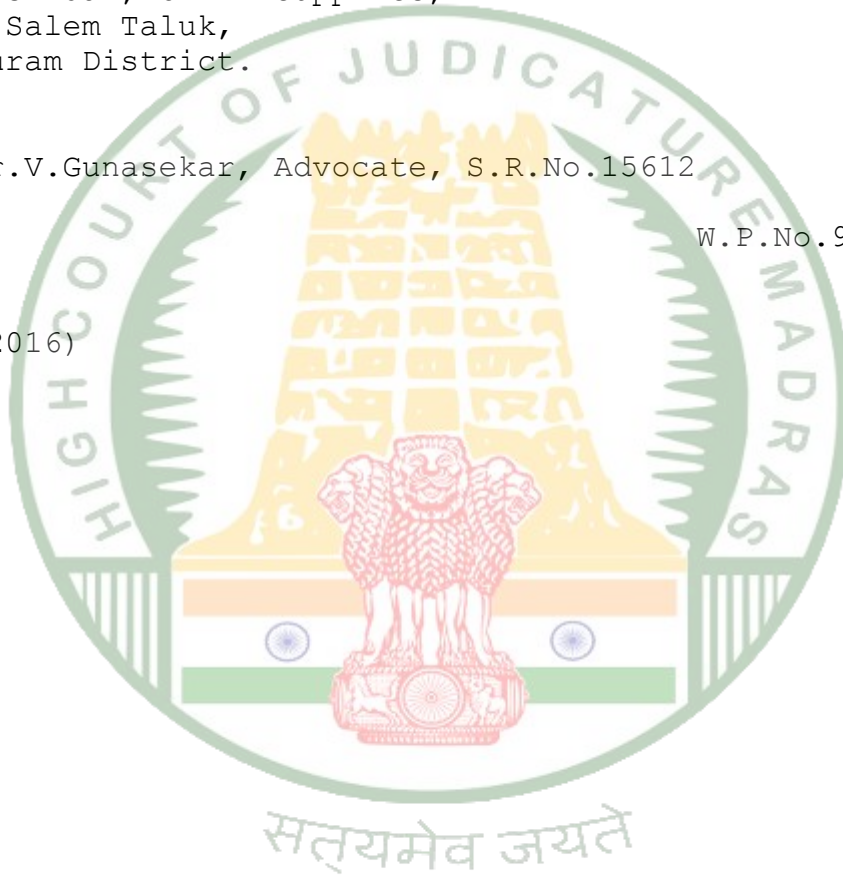
To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Tahsildar, Civil Supplies,
Kallakurichi Taluk,
Villupuram District.
3. The Tahsildar, Civil Supplies,
Chinna Salem Taluk,
Villupuram District.

+1cc to Mr.V.Gunasekar, Advocate, S.R.No.15612

W.P.No.9190 of 2016

MG(CO)
CA(22/03/2016)



WEB COPY