



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 07.12.2016

CORAM

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.21685 of 2015
and
M.P(MD)No.1 of 2015

Murugeshwari

.. Petitioner

Vs

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Special Tahsildar for
Civil Supplies and Consumer Protection Department,
Ramanathapuram,
Ramanathapuram District.

.. Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Certificate No.Nil, dated 11.2.2013 on the file of the respondent No.2 and to quash the same and consequently to direct the respondents to return the Petitioner's Family Card bearing No.27/G/0014709 for the Fair Price Shop No.AB 073, namely Pattanamkathan R2, within the time frame fixed by this Court.

For Petitioner : M/s.T.Vadivelan
For Respondents : Mr.T.S.Mohammed Mohideen
Addl.Govt.Pleader

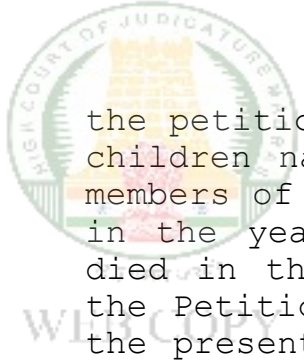
ORDER

This Writ Petition is filed challenging the order of the second respondent cancelling the Ration Card issued to the Petitioner's family and consequently for a direction to the respondents to return the Family Card.

2.Heard the learned counsel for the Petitioner and Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The subject-matter Ration Card bears No.27/G/0014709 showing



the petitioner's husband/S.Saravanan, petitioner and three of their children namely, Satish Kumar, Kirubakaran and Sivaneswari, as the members of the family. It Is seen that the Petitioner's husband died in the year 2014 and one of the children namely Satishkumar also died in the year 2012. Even though other family members including the Petitioner as shown in the Family Ration Card are still alive, the present impugned order came to be passed cancelling the Ration Card, without assigning any reason and also without affording an opportunity of hearing to the Petitioner. Therefore she has approached this Court by filing the present Writ Petition.

4.Considering the above said facts and circumstances and considering the reason that the impugned order does not reveal any reason for cancellation and also considering the undisputed statement that the same came to be passed without affording an opportunity of hearing to the Petitioner, I am of the view that the impugned order cannot be sustained.

5.Accordingly, the same is set aside and the matter is remitted back to the second respondent for considering the case of the petitioner and issue corrected/fresh Ration Card to the Petitioner within a period of three weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Deputy Registrar (J)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Special Tahsildar for
Civil Supplies and Consumer Protection Department,
Ramanathapuram, Ramanathapuram District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79989
+ 1 CC TO Mr.T.VADIVELAN, ADVOCATE IN SR No. 80145

VSN

TE/SKN : 27/12/2016 : 2P/5C