



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15693 of 2018

WEB COPY

R.Ramasamy raja

... Petitioner

Vs.

1. The Union of India,
rep by the Secretary to Government,
The Ministry of Electronics and
Information Technology,
Electronics Niketan,
6, CGO, Colony, Lodhi Road,
New Delhi-11003.

2. The Chairman,
Unique Identification Authority of India,
Head Office, Bangala Sahip Road,
Gole Market, Newdelhi-110001.

3. The Deputy Director General
Unique Identification Authority of India,
Regional Office, Khanija Bhavan,
No.40, 3rd Floor,
South Wing Race Course Road,
Bengaluru-1.

4. The District Collector,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to consider the petitioner AADHAAR enrollment dated on 01.11.2017 and issue the AADHAAR card.

For Petitioner : Mr.M.M.Manivel Pandian

For R-1 to R-3 : Mr.G.Rajaraman,
Central Government Standing Counsel.

For R-4 : Mr.N.Shanmuga Selvam,
Additional Government Pleader.

ORDER

Mr.G.Rajaraman, learned Central Government Standing Counsel, takes notice for the respondents 1 to 3, Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the fourth respondent.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 16.01.2018 seeking issuance of Aadhaar card, has not been considered by the fourth respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 16.01.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(W)

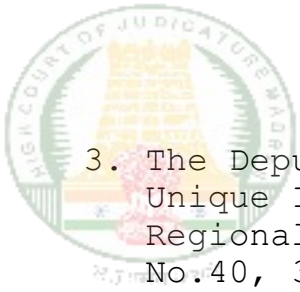
/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The Secretary to Government,
The Union of India,
The Ministry of Electronics and
Information Technology,
Electronics Niketan,
6, CGO, Colony, Lodhi Road,
New Delhi-11003.

2. The Chairman,
Unique Identification Authority of India,
Head Office, Bangala Sahip Road,
Gole Market, Newdelhi-110001.



3. The Deputy Director General
Unique Identification Authority of India,
Regional Office, Khaniya Bhavan,
No.40, 3rd Floor,
South Wing Race Course Road,
Bengaluru-1.

4. The District Collector,
Thoothukudi,
Thoothukudi District.

W.P. (MD) No.15693 of 2018
19.07.2018

CP
ES/SKN/RSK/SAR 3/06.08.2018/3P/5C