



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9168 of 2021

WEB COPY

P.Muthulakshmi

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Tahsildar,
Theni Taluk,
Theni Distirct.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein to include the name of R.Naveen Kumar, aged 18, S/o.late P.Ramesh in the family ration card No.333050710845 as per the representation of the petitioner dated 19.03.2021.

For Petitioners : Mr.H.Thayumanaswamy.

For Respondents : Mr.P.Thillak Kumar,
Standing Counsel for Government

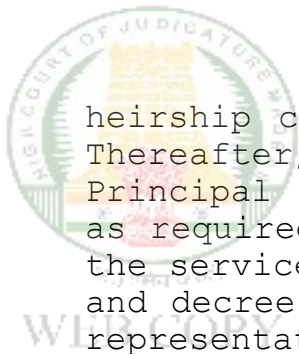
ORDER

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.

2. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents to include the name of R.Naveen Kumar, S/o.late P.Ramesh in the family ration card No.333050710845 as per the representation of the petitioner dated 19.03.2021.

4.According to the petitioner, the petitioner's son got married to one Manireka and out of the wedlock, two children were born namely Naveen Kumar and Vetri Kousik. Due to ill-health, her daughter-in-law died on 05.03.2015 leaving behind her husband and sons. Recently, the petitioner's son P.Ramesh died on 14.07.2020 due to Covid-19 leaving behind the petitioner and sons. Now the two sons namely Naveen Kumar aged about 18 years and Vetri Kousik aged about 13 years have been living with the petitioner at Chennai. After the death of her son, she obtained death certificate and legal



heirship certificate showing that she is the surviving legal heir. Thereafter, the petitioner filed G.W.O.P.No.90 of 2020 before the Principal District Judge, Theni seeking to appoint her as guardian as required for issuance of fresh family ration card and to receive the service benefits of her son and the same was decreed by Judgment and decree dated 19.01.2021. In this regard, the petitioner sent a representation to the second respondent to include the name of the above two minor children in the family ration card and to cancel her son's ration card, along with the copy of the aadhar card and all other documents. Though the second respondent had included only the name of Minor Vetri Kousik in the ration card, the second respondent had inadvertently made an error to include the name of Minor Naveen Kumar. In this regard, on 19.03.2021, the petitioner sent a representation to the respondents 1 and 2 to include the name of R.Naveen Kumar, aged about 18 years, in the family ration card. As no action was taken by the respondents, the present writ petition has been filed.

5. The learned counsel for the petitioner would state that it would be suffice if a direction is given to dispose of the representation of the petitioner.

6. The learned standing counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in her representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 19.03.2021, on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the writ petition is disposed of. No Costs.

Sd/-

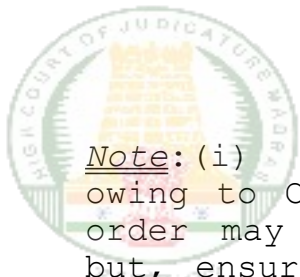
Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Rmi



Note: (i) In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The District Collector,
Theni District.

2.The Tahsildar,
Theni Taluk,
Theni Distirct.

+1 CC to M/s.H.THAYUMANASAMY, Advocate (SR-18712[F] dated 03/06/2021)

+1 CC to M/s.SPL GP (SR-18828[F] dated 04/06/2021)

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