

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2010

Coram:

THE HONOURABLE Ms. JUSTICE K.B.K.VASUKI

W.P.No.50362 of 2006

and

M.P.No.1 of 2006

M.Rukmani

..Petitioner

vs.

1.The Assistant Commissioner
Civil Supplies & Consumer
Protection Department
Anna Nagar & Zone, No.1049
P.H.Road, Arumbakkam
Chennai-600 106.

2.The Bill Clerk
Ration Shop No.DA007
Chinna Krishnaiah 2nd lane
Ayanavaram, Chennai-600 023.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to forbear the respondents herein from discontinuing the supply of food articles to the Family Card bearing No.01/G/0068677, Ward No.058, Street No.015, Door No.20/35, Shop No.DA007, A.Register No.0000, to the petitioner herein.

For Petitioner : Mr. R.Selvakumar

For Respondents : Mr.V.Viswanathan for RR1 and 2
Additional Govt. Pleader

ORDER

On consent, the writ petition is taken up for final hearing.

2. The writ petition is filed for issuance of writ of mandamus for forbearing the respondents herein from discontinuing the supply of food articles to the Family Card bearing No.01/G/0068677 standing in the name of the petitioner's husband.

3. The petitioner herein, got married to one Manoharan and while they were living together, the Family Card was obtained in the name of her husband as head of the family. Her name is included in the same in the capacity of wife of the said Manoharan and there was no difficulty in getting the supply of food articles in the said Family Card, till the matrimonial dispute arose between the husband and wife resulting in Civil Suit in O.S. No. 5482 of 2006. Even after the separation of the husband and wife, the petitioner was getting the supply of food articles for the same Family Card. The petitioner has during the pendency of the Civil Suit, shifted her residence to V.P. Colony, North Street where she approached the authority concerned for entering change of address in the ration card and the same was postponed and pending making entry of the change of address in the ration card, the supply of food articles is also refused for the ration card from the shop within the jurisdiction of which, the petitioner is presently residing. In the meantime, her husband was also insisting her to surrender the ration card which compelled her to cause a legal notice to the respondents to effect the change of address and to supply the food articles. The failure on the part of the authority concerned to comply with her request, this writ came to be filed. She approached this Court for the relief as stated supra along with M.P. No.1 of 2006 for interim direction. In pursuance of the interim order granted in M.P., the supply of food articles is restored for the ration card standing in the name of her husband and the supply continues till today. In the meantime, the change of address is also entered in the ration card.

4. That being so, this Court deems it fit to direct the respondents to continue to supply the food articles to the petitioner for the petition mentioned Family Card.

5. With the above observation, this writ petition is disposed of. The connected miscellaneous petition is closed. No costs.

sd/-

Asst.Registrar

/True copy/

Sub.Asst.Registrar

kj

To

1. The Assistant Commissioner,
Civil Supplies & Consumer
Protection Department,
Anna Nagar & Zone, No.1049
P.H.Road, Arumbakkam,
Chennai-600 106.

2. The Bill Clerk,
Ration Shop No.DA007,
Chinna Krishnaiah 2nd lane,
Ayanavaram, Chennai-600 023.

+ 1 c.c. to Mr. R. Selvakumar, Advocate. S.R.No.47663.

+ 1 c.c. to The Government Pleader. S.R.No.47011.

W.P.No.50362 of 2006
and
M.P.No.1 of 2006

RS (CO)
GSK 17.06.2010.



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