



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.08.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.15080 of 2016

S.Dhanalakshmi

... Petitioner

Vs.

The Tahsildar,
Madurai South Taluk,
Madurai-20.

... Respondent

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to sanction either old age pension or pension for the deserted woman by the husband to the petitioner on the basis of her representation dated 20.09.2013 and 29.07.2016 within the time frame fixed by this Hon'ble Court.

For Petitioner :Mr.G.Thangavelu
For Respondent :Mr.J.Gunaseelan Muthiah
Government Advocate

ORDER

Heard both sides. By consent, the main writ petition itself is taken up for final disposal.

2.No counter is filed on behalf of the respondent.

3.According to the petitioner, her two sons are married and they are living separately. She and her next son/coolie worker, who is not having any regular income and earning only Rs.1,000/- per month are living separately. In fact, she was deserted by her husband and therefore, she had applied for financial assistance, being given to her by the Respondent, with all necessary records, on 20.09.2013. As a matter of fact, her application was received by the Respondent on 25.09.2013. Since there was no response, she was perforced to send a representation on 08.04.2014, which was received on 10.04.2014. In spite of the said representation, there is no response from the side of the Respondent till date. As a result of which, she sent a reminder



4. The stand of the Petitioner is that she sent her last representation on 29.07.2016. Till date, there is no reply from the side of the Respondent. As such, she has filed the present writ petition.

5. It comes to be known that the petitioner had submitted an application seeking financial assistance on 20.09.2013 addressed to the Respondent/Tahsildar, Madurai South Taluk, Madurai. She had enclosed her Age Certificate and other necessary documents like xerox copy of Ration Card etc., It appears that the petitioner had given a representation on 08.04.2014, addressed to the Tahsildar, Madurai South Taluk, Madurai, seeking financial assistance on the ground that she was deserted by her husband 20 - 25 years ago.

6. At this stage, Mr. J. Gunaseelan Muthiah, Learned Government Advocate, appearing for the Respondent brings it to the notice of this Court that the petitioner's residential area comes within the purview of Thirupparankundram Taluk and therefore, the Special Tahsildar, (Social Security Scheme), Thirupparankundram Taluk, Madurai is the appropriate authority to whom the petitioner should address a petition or submit an application seeking financial assistance.

7. Considering the fact that the petitioner is a 69 years old widow (who was deserted by her husband 20-25 years ago), at this stage, this Court, without expressing any opinion on the merits and contents of the application/representations of the petitioner dated 20.09.2013, 08.04.2014 and 29.07.2016, simpliciter, directs the Respondent/Tahsildar, Madurai South Taluk, Madurai to look into the aforesaid representations of the petitioner, within one week from the date of receipt of copy of this order. Thereafter, the Respondent is to transfer the said representations of the petitioner to the Special Tahsildar, (Social Security Scheme), Thirupparankundram Taluk, Madurai, for taking necessary action, within a period of one week thereafter. The Special Tahsildar, (Social Security Scheme), Thirupparankundram Taluk, Madurai, upon receipt of the aforesaid three representations from the Tahsildar, Madurai South Taluk, Madurai, is to consider the same and pass a reasoned, speaking order on merits, considering the plight of the petitioner in a sympathetic and dispassionate manner, within a period of two weeks thereafter. Liberty is granted to the petitioner to submit a fresh petition claiming financial assistance (on the ground that she was deserted by her husband), addressed to the Special Tahsildar, (Social Security Scheme), Thirupparankundram Taluk, Madurai, within three days from the date of receipt of copy of this order. It is open to the petitioner to lend her assistance to the Special Tahsildar, (Social Security Scheme), Thirupparankundram Taluk, Madurai so as to enable the latter to do the needful in the subject matter in issue in her



favour, within the time determined by this Court, as stated supra.

8. With the aforesaid observation(s) and direction(s), the writ petition is disposed of. No costs.

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/True copy/

Sd/-

Assistant Registrar (CS-I)

Sub Assistant Registrar

To

1. The Tahsildar, Madurai South Taluk, Madurai-20.

2. The Special Tahsildar, (Social Security Scheme)
Thirupparankundram Taluk, Madurai.

+1 CC to M/s.G.THANGAVELU, Advocate, SR No.44880

+1 CC to THE SPECIAL GOVERNMENT PLEADER , SR No.45344

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VS

SH/SKS-RR:24.08.2016:3P/5C