



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2017**

CORAM

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**THE HONOURABLE MR. JUSTICE K. RAVICHANDRA BAABU
W.P(MD) No. 10421 of 2016**

Chandira Devi

... Petitioner

vs.

1. The District Collector
Ramanathapuram District,
Ramanathapuram.

2. The Tahsildar,
(Social Security Scheme),
Tahsildar Office,
Paramakudi,
Ramanathapuram District,

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of certiorarified Mandamus to call for the records of the 2nd Respondent in Impugned Proceedings in Na.Ka.C3/5243/2016 dated 04.04.2016 and to quash the same consequently direct the respondents to give the widow pension to the petitioner with effect from January 2015.

For Petitioner	: Mr. K. Sudalaiyandi
For Respondents	: Mr. A. Muthukaruppan Additional Government Pleader

O R D E R

The petitioner is aggrieved against the order passed by the second respondent dated 04.04.2016 wherein and whereby Widow Pension given to the petitioner was cancelled based on certain reasons stated in the impugned order.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials placed on record.

3. Though this writ petition is filed challenging the said order of the second respondent on very many grounds on merits, this Court at this stage is not inclined to go into the same, as it is seen that the impugned order cannot be sustained on the sole ground of violation of principles of natural justice.

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

4. Admittedly, before passing the impugned order the



petitioner was not put on notice. It is not in dispute that the petitioner was receiving Widow Pension till the month of January 2015. If the second respondent wants to discontinue the pension on certain reasons, necessarily he has to give an opportunity of hearing to the petitioner. It has not been done in this case. Therefore, without expressing any view on the merits or reasons stated in the impugned order, the same is set aside only on the ground of violation of principles of natural justice. The matter is remitted back to the second respondent for passing fresh order on merits and in accordance with law after giving due opportunity of hearing to the petitioner by issuing Show Cause Notice. Such exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of copy of this order.

5. In the result, this writ petition is allowed. No costs.

sd/-

Assistant Registrar(Crl Side)

/True copy/

Sub Assistant Registrar

To,

1. The District Collector, Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar, (Social Security Scheme), Tahsildar Office,
Paramakudi, Ramanathapuram District.

+1 cc to M/S. K.Sudalaiyandi, Advocate in SR.No. 347.

+1 cc to M/S.Special Government Pleader in SR.No. 473.

CM

MSK/EM-JMP/18.01.2017/2P-5C

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