IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.21896 of 2012
and M.P.No.1 of 2012

G.Elavarasi .. Petitioner

Versus

1. The District Collector,
Tiruvannamalai.

2. The Revenue Divisional Officer,
Tiruvannamalai. .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records in OM.A2/8661/2009 dated 05.12.2009 on the file of the second respondent and quash the same directing the respondents to issue destitute widow Certificate to the petitioner.

For Petitioner :: Mr.G.Rajan
For Respondents :: Mrs.Sri Jeyanthi
(Special Government Pleader)

O R D E R

The writ petitioner has filed the present writ petition in the nature of a Certiorarified Mandamus to call for the records in OM.A2/8661/2009 dated 05.12.2009 on the file of the 2nd respondent namely the Revenue Divisional Officer, Tiruvannamalai, and quash the same. By the said order, the 2nd respondent before whom an application was filed, seeking to issue a destitute widow Certificate to the petitioner, had rejected grant of such Certificate.

2. Among the reasons stated by the 2nd respondent is that the petitioner is not residing in Keelvankampadi Village, and she is residing in her father's house and she has a share in the property of her father and consequently, it had been stated that destitute widow Certificate cannot be granted.

3. In the affidavit filed by the petitioner, she has very categorically stated that she is working as a teacher

in the Matriculation School and her father had retired as Junior Engineer from the Tamil Nadu Electricity Board and she had also sold agricultural land on 05.05.2009 and her mother is in possession and enjoyment of a two storey house worth about Rs.10,00,000(Rupees Ten Lakhs only). She however, justifies her claim to seek a destitute widow Certificate on the ground that she had spent money towards the medical expenses of her husband who died on 23.12.2003 and she had also borrowed money from third parties. Her husband died on 2003. She had sold lands in 2009. She had filed the present writ petition in the year 2012. There is no correlation between the death of the husband, sale of land for valuable consideration or the filing of the writ petition.

4. It is pertinent to point out that in the affidavit, she has not stated the date from which she has been working as a teacher in the Matriculation School. I find no reason to interfere in the order passed by the 2nd respondent. The writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

vkr/msvm

To

1. The District Collector,
Tiruvannamalai.

2. The Revenue Divisional Officer,
Tiruvannamalai.

+1cc to Mr. G.Rajan, Advocate SR.No. 78752
+1 CC TO GOVERNMENT PLEADER SR.NO. 79165

W.P.No.21896 of 2012

ASK(13/12/2018)