



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.16790 of 2021

Mariammal

... Petitioner

Vs.

1.The State Rep. by
The District Collector,
Collectorate, Thenkasi.

2.The Tahsildar,
Social Security Scheme,
Sivagiri,
Thenkasi District.

... Respondents

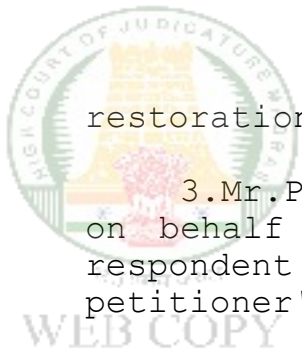
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to restore the assistance given to the petitioner along with arrears under the destitute widow assistance scheme on the basis of the petitioner's representation, dated 03.09.2020 within the time frame fixed by this Court.

For Petitioner : Mr.Sankar Shanmugam
for M/s.P.Devisudha
For Respondents : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks restoration of the monthly assistance provided to destitute widows.

2.The petitioner states that her husband died on 23.03.2011. She has one son and two daughters. At the time of her husband's death, her children were minors. Upon application for assistance under the Government Special Scheme for Destitute Widows, it is stated that financial assistance of Rs.1,000/- per month was extended to the petitioner in the year 2012. Such assistance was provided until the year 2015. Without assigning any reason, the petitioner states that such financial assistance was stopped in the year 2015. In spite of submitting a representation in 2015, it is stated that such financial assistance was not restored. The petitioner relies upon an order issued by the jurisdictional Revenue Divisional Officer, whereby he had directed that an inquiry be conducted by the Tahsildar of Sivagiri with regard to the petitioner's representation. In spite of the said communication dated 06.11.2015, it is stated that no action has been taken for the



restoration of such financial assistance.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the second respondent may be directed to consider and dispose of the petitioner's request within a reasonable time frame.

4.The petitioner has enclosed a copy of the death certificate of her husband. She has also enclosed a copy of the legal heirship certificate, which shows the petitioner and her three children as the legal heirs of the husband. The petitioner has also enclosed her bank passbook which indicates receipt of a sum of Rs.1,000/- in several months during the year 2015. Furthermore, the petitioner has enclosed a certificate from the Panchayat President of Kottayur with regard to her financial condition. Based on these documents, the petitioner is entitled to a consideration of the request for restoration of financial assistance.

5.Accordingly, the second respondent herein is directed to consider the petitioner's representation dated 03.09.2020 seeking restoration of financial assistance under the Government Special Scheme for Destitute Widows. Upon such consideration, the second respondent is directed to issue a reasoned order after taking into account the terms of the scheme and the documents produced by the petitioner. Such reasoned order shall be issued within a period of two (2) months from the date of receipt of a copy of this order.

6.W.P.(MD)No.16790 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: 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,
Collectorate,
Thenkasi.



2.The Tahsildar,
Social Security Scheme,
Sivagiri,
Thenkasi District.

+1 CC to M/s.P.DEVISUDHA, Advocate (SR-29922[F] dated 22/09/2021)

+1 CC to M/s.SPL. GP (SR-29764[F] dated 21/09/2021)

**W.P (MD) No.16790 of 2021
20.09.2021**

RS (27.09.2021) 3P 5C