



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.1576 OF 2022

AND

W.M.P.NO.1697 OF 2022

A.Kamatchi

... Petitioner

Vs

1. The Revenue Divisional Officer,
Kanchipuram.

2. The Tahsildar,
Kanchipuram

... Respondents

Prayer :- Writ 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 in Mu.Mu.3704/2021/A5, dated 05.10.2021 on the file of the first respondent and quash the same and direct the respondents to issue the certificate of Destitute Widow to the petitioner.

For Petitioner : Mr.Nandakumar
for Mr.Eswar

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of certiorarified mandamus, to call for the records in Mu.Mu.3704/2021/A5, dated 05.10.2021 on the file of the first respondent ; quash the same and direct the respondents to issue the certificate of Destitute Widow to the petitioner.

2. Heard, Mr. Nandakumar, learned counsel appearing for the petitioner and Mr.S. Rajesh, learned Government Advocate appearing for the respondents.



3. The case of the petitioner is that she got married one Anbarasu. He passed away on 05.03.2019, due to illness. After his demise, the petitioner continues to live with her father-in-law and mother-in-law along with her two minor girl children, aged about 6 and 8 respectively. She is also getting a sum of Rs.1,000/- under the widow pension scheme from the Government. Under these circumstances, the petitioner applied for issuance of certificate of Destitute Widow before the first respondent. The first respondent, on receipt of the report from the second respondent, without any notice to the petitioner and without giving any opportunity of hearing to the petitioner, rejected the claim made by the petitioner by an impugned order dated 05.10.2021 in Mu.Mu.3704/2021/A5. On this sole ground, the impugned order cannot be sustained by the petitioner since, it is a violation of principles of natural justice.

4. In view of the above, the impugned order dated 05.10.2021 in Mu.Mu.3704/2021/A5 is hereby set aside. The first respondent is directed to conduct enquiry on the application submitted by the petitioner, after giving an opportunity of hearing to the petitioner and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

Lpp

To

1. The Revenue Divisional Officer,
Kanchipuram.
 2. The Tahsildar,
Kanchipuram.
- +1cc to the Government Pleader, S.R.No.7336

W.P.No.1576 of 2022
and
W.M.P.No.1697 of 2022

KG(CO)
RLP(23/02/2022)