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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.40854 of 2015

G.Sivakhami

...Petitioner

Vs

1. The Revenue Divisional Officer/Sub Collector,
Mettur, Mettur Taluk,
Salem District.

2. The Tahsildar,
Mettur Taluk,
Mettur, Salem District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 1st respondent in his office Ref.Mu.Mu.4241/2014/D dated11.2014, quash the same and direct the 1st respondent to consider the request of the petitioner and issue Destitute Widow Certificate within the time fixed by this Court.

For Petitioner : Mr.M.Tamil Thendral Arasu
for Mr.P.Mani

For Respondents: Mrs.N.Senthil Selvi
Government Advocate

O R D E R

The order impugned dated November 2014 rejecting the claim of the writ petitioner for grant of Destitute Widow Certificate is under challenge in the present writ petition.

2.The petitioner states that she married one Mr.Murugan, son of Thambiannan and the marriage was solemnized on 12.06.2003. The husband of the petitioner died due to illness on 10.07.2007. Along with the death certificate and legal heir certificate, the petitioner submitted an application for grant of Destitute Widow Certificate. The first respondent rejected the claim of the



writ petitioner on the ground that she had received money from her in-laws and further the petitioner was living with the help of her father and therefore, the Destitute Widow Certificate cannot be issued.

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3. Counter affidavit filed by the Sub-Collector, Mettur reveals that the petitioner herself admitted that she received an amount of Rs.4,45,000/- from her in-laws as part of Panchayat settlement dated 26.08.2013. Her employment status as a daily wage earner under MGNREGS has not been put forward in any of the statements by the petitioner. Considering these factors, the first respondent rejected the application. Further, the petitioner has clearly under the care of her father and received substantial amount from her in-laws as part of Panchayat settlement.

4. This being the factum established, this Court do not find any infirmity or perversity in the order impugned passed by the first respondent. The order impugned was passed after verification of the facts and eligibility of the petitioner. Thus the writ petition is devoid of merits and consequently, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Revenue Divisional Officer/Sub Collector,
Mettur, Mettur Taluk, Salem District.

2. The Tahsildar,
Mettur Taluk, Mettur, Salem District.

+1cc to Mr.P.Mani, Advocate, S.R.No.3952

+1cc to the Government Pleader, S.R.No.4735

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PCH[co]
NSK 08/02/2022