



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5372 of 2022

S.Rajeshwari

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Pudukkottai District.

2.The Special Tahsildar,
Taluk Office,
Kulathur Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to disburse the widow pension granted to the petitioner vide order in Ni.Mu.No.7863/2013/A4 dated 19.07.2013 on the file of the second respondent along with the interest till date within the time period stipulated by this Court.

For Petitioner	: Mr.Mahaboob Fazil for Mr.T.Lajapathi Roy
For Respondents	: Mr.M.Lingadurai Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to disburse the widow pension granted to the petitioner vide order in Ni.Mu.No.7863/2013/A4 dated 19.07.2013 on the file of the second respondent along with interest till date, within a time frame to be fixed by this Court.

2.The petitioner claims that by order dated 19.07.2013, the second respondent has granted widow pension to the petitioner under the Indira Gandhi National Widow Pension Scheme. However, according to the petitioner, till date, the said order has not been implemented by the first respondent who is the competent authority. In such circumstances, she has filed this writ petition.



3. Heard Mr. Mahaboob Fazil, for Mr. T. Lajapathi Roy, learned Counsel appearing for the writ petitioner and Mr. M. Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

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4. At the outset, learned Counsel for the petitioner would submit that since the recommendation has been made by the second respondent for grant of widow pension to the petitioner in the year 2013, the petitioner is willing to give a fresh representation to enable the respondents to consider the same on merits and in accordance with law. The petitioner is satisfied that if she gets the widow pension from the State and no arrears need be paid to her for the past. The said statement is recorded.

5. No prejudice would be caused to the respondents if the petitioner's fresh representation is considered on merits and in accordance with law.

6. Accordingly, this Court directs the petitioner to submit a fresh representation seeking for widow pension under the Indira Gandhi National Widow Pension Scheme to the second respondent within a period of one [1] week from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall consider the same on merits and in accordance with law after affording a fair hearing to the petitioner including granting her the right of personal hearing within three [3] months thereafter. The petitioner is permitted to submit all relevant documents to substantiate her claim that she is entitled for widow pension under the Indira Gandhi National Widow Pension Scheme. However, it is made clear that the petitioner is not entitled for her past arrears under the said scheme.

7. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

MR



To

1.The District Collector,
Collectorate,
Pudukkottai District.

2.The Special Tahsildar,
Taluk Office,
Kulathur Taluk,
Pudukkottai District.

+1 CC to M/s.SPL GP (SR-14940[F] dated 28/03/2022)

ORDER MADE IN
W.P. [MD]No.5372 of 2022
25.03.2022

ks (CO)

TR(04.04.2022) 3P 4C