



W.P.(MD)No.28824 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28824 of 2022

T.Muthulakshmi

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

3.The Revenue Divisional Officer,
Kovilpatti Division,
Kovilpatti,
Thoothukudi District.

4.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

5.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.

... Respondents



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(5th respondent is suo motu impleaded as per the order of this Court dated 22.12.2022)

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents more particularly the 4th respondent herein to accept the petitioner's widow certificate issued by the third respondent in T.N.No.1620210305326 dated 11.03.2021 and give preference to her in the selection process considering the petitioner's widow certificate for the post of Village Assistant in Kavuntanpatti Village and to consider the petitioner's representation dated 03.12.2022 given to the first respondent herein within a time stipulated by this Court.

For Petitioner	: Mr.D.Nallathambi
For Respondents	: Mr.G.V.Vairom Santhosh Additional Government Pleader

ORDER

This writ petition has been filed for a direction to the respondents, more particularly, the 4th respondent herein to accept the petitioner's widow certificate issued by the third respondent in T.N.No. 1620210305326 dated 11.03.2021, give preference to her in the selection



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process considering her widow certificate for the post of Village Assistant in Kavuntanpatti Village and consider the petitioner's representation dated 03.12.2022 given to the first respondent herein within a time stipulated by this Court.

2. The case of the petitioner is that the petitioner was married to one Thanushkodi and the said Thanushkodi died on 17.02.2021. On 11.03.2021, the third respondent has issued a Widow Certificate to the petitioner. The 4th respondent published a Notification No.01/2022 on 10.10.2022 calling for the applications to the post of Village Assistant in Virudhunagar District. While filling the application through online, there is no column available for uploading the widow certificate. Hence, she was not able to upload the widow certificate at the time of filling the application. Therefore, she made a representation to the 1st respondent on 03.12.2022 along with her widow certificate seeking appointment in the post of Village Assistant by considering the priority of her being a widow. However, till date, there is no response from the first respondent. Therefore, the petitioner has filed the present writ petition with the



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aforesaid prayer.

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3. The learned counsel appearing for the petitioner would submit that earlier, the petitioner has made an application before the Tahsildar, Sivakasi Taluk, Virudhunagar District on 02.11.2022. Therefore, it would suffice, if the Tahsildar, Sivakasi Taluk, Virudhunagar District, is directed to dispose of the application of the petitioner, dated 02.11.2022, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Admittedly, the petitioner has made an application on 02.11.2022 before the Tahsildar, Sivakasi Taluk, Virudhunagar District. However, inadvertently, the petitioner has impleaded the Tahsildar, Kayathar Taluk, Thoothukudi District as party. Hence, this Court is inclined to *suo motu* implead the Tahsildar, Sivakasi Taluk, Virudhunagar



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District as the 5th respondent.

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6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the 5th respondent to consider the petitioner's application, dated 02.11.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

22.12.2022

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3. The Revenue Divisional Officer,
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Kovilpatti,
Thoothukudi District.
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Kayathar Taluk,
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M.DHANDAPANI,J.

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