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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.10787 of 2023

Thowjiha Banu

... Petitioner

vs.

The Tahsildar,
(Social Security Scheme),
Ramanathapuram,
Ramanathapuram District-623 513.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent online rejection order, dated 03.02.2023 and to quash the same as devoid of merits and consequently, to direct the respondent to provide pension to the petitioner under Destitute Widow Pension Scheme by considering the petitioner's application No.TN-9520230123939, dated 27.01.2023.

For Petitioner :Mr.S.Atham Ali

For Respondent :Mr.J.Ashok

Additional Government Pleader



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ORDER

This Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking interference with an online order passed by the respondent dated 03.02.2023 and consequently, to direct the respondent to provide pension under Destitute Widow Pension Scheme.

2.Heard Mr.S.Atham Ali, learned Counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondent.

3.The petitioner had earlier given an application on 27.01.2023. In response to the said application, the impugned order has been passed, wherein, the respondent had stated “rejected, she able to work”. These five words have been repeated at least ten times to make one paragraph, which is the impugned order. It neither conveys any sense nor does it convey that the Tahsildar had applied his mind nor does it indicate as to what actually the Tahsildar meant by repeating it so many times.

4.The impugned order is therefore straightaway set aside. The petitioner may give a fresh application by following due process and a



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direction is issued to the respondent to apply his mind to the application, issue notice to the petitioner, examine her credentials and if she is eligible, provide the destitute widow pension. The respondent may keep in mind that these schemes are initiated and promoted by the Government for the welfare of the general public and a responsibility is cast on the respondent to ensure that the scheme reaches the nooks and corners of the State. Mere rejection by five words and repeating the five words again and again to make a paragraph would not enhance the reputation of the respondent, but on the other hand would directly affect the Government and this is something, the respondent should be careful enough to avoid. A direction is given to the respondent to process further the fresh application of the petitioner within a period of four weeks from the date on which the application is filed by the petitioner herein.

5.The Writ Petition stands allowed. No order as to costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No
cmr

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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.10787 of 2023

28.04.2023