



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17342 of 2015 AND

M.P.(MD)No.1 of 2015

Kowsalya

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Revenue Divisional Officer / Sub Collector,
Paramakudi,
Ramanathapuram District.

3. The Tahsildar,
Kamuthi Taluk,
Kamuthi,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings in Na.Ka.No.B4/6832/2014 dated 07.01.2015 passed by the second respondent and quash the same as illegal and consequently direct the second respondent to issue a destitute widow certificate to the petitioner within the stipulated time fixed by this Court.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.S.Ra.Ramachandran,
Additional Government Pleader.



WEB COPY



ORDER

Heard the learned counsel on either side.

2. The petitioner applied to the Revenue Divisional Officer, Paramakudi for issuance of destitute widow certificate. Her request was rejected. Challenging the same, the present writ petition came to be filed.

3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4. I am not persuaded by the submissions of the petitioner. As rightly pointed out by the learned Additional Government Pleader, the case on hand will have to be decided with reference to the terms set out in G.O.Ms.No.395 P&AR dated 04.11.1993. The expression “the destitute widow” has been defined therein. It states that a woman who has neither any means by herself to live on nor any dependant to protect her from starvation. But then, in the case on hand during the



enquiry it came to be known that the petitioner is very much supported by her father. Her father is a retired Government servant. The petitioner's father is having own house and lands. The petitioner is also eking out her livelihood by working in a private establishment and she is said to be earning monthly income of Rs.5,500/-.

5. In view of the aforesaid reasons, I am not in a position to interfere with the impugned order. A learned Judge of this Court vide order dated **26.11.2021 in W.P.No.6607 of 2017 (R.Vanitha V. The Tahsildar, Egmore Taluk, Chennai District)** had held that a person who is earning below Rs. 8,700/- can be considered as destitute widow. The order impugned in this writ petition is sustained primarily on the ground that the petitioner is supported by her father. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



WEB COPY



To:

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Revenue Divisional Officer / Sub Collector,
Paramakudi,
Ramanathapuram District.
3. The Tahsildar,
Kamuthi Taluk,
Kamuthi,
Ramanathapuram District.



WEB COPY



5

W.P.(MD)NO.17342 OF 2015

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.17342 of 2015

21.07.2023