



WEB COPY



WA NO. 1008 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WA. No. 1008 of 2025

AND CMP.No.8230 of 2025

The Director
Directorate of Ex-Servicemens Welfare, Office of
the Directorate of Ex-Servicemens Welfare, No.22,
Raja Muthiah Salai, Choolai, Chennai - 600 003.

2.The Assistant Director
Ex-Servicemen's Welfare Office
Office of the Directorate of Ex-Servicemen's
Welfare
Dharmapuri-636 705.

Appellant(s) /Respondents.

Vs

S. Bhagyalakshmi
W/o Late Sub. M.Shyam Singh (JC -312783P), No
1/229, Elangalopatti Village Post, Palacode Taluk,
Dharmapuri 636 808.

Respondent(s) /Writ Petitioner

PRAYER: Writ Appeal filed as against the order dated 30.09.2024 made in

W.P.No.24466/2024.

For Appellant(s): Mr. M.Rajendran, Additional Govt. Pleader

For Respondent(s): Mr. M.Jothi kumar

ORDER



WA NO. 1008 of 2025

(Order of the Court was made by the Hon'ble J.Nisha Banu J.)

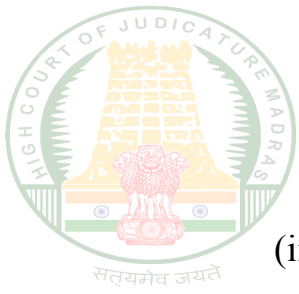
WEB COPY

This Writ Appeal is filed by the Directorate of Ex-Servicemen Welfare Department against the order passed by the learned Single Judge in W.P.No.24466 of 2024 vide order dated 30.09.2024.

2. The facts that led to the filing of this present writ appeal are as follows:

(i) The Respondent's Husband, Late Sub.Shyam Singh passed away on 08.11.2022 after serving in the Indian Army as Subedar (JC-312783P). Following his demise, the Respondent, along with her daughter and Son have been residing at No 1/229, Elangalopatti Village Post, Palacode Taluk, Dharmapuri 636 808.

(ii) The respondent's daughter completed her SSLC examination in the year 2022 from SM Vidya Mandir Matric Higher Secondary School, Uthangarai, Krishnagiri District, and was issued Certificate No. SEC22414637, dated 20.06.2022. She subsequently completed her Higher Secondary education (12th standard) in 2024 from Green Park Matric Higher Secondary School, Bodhupatty, Namakkal District.



WA NO. 1008 of 2025

(iii) The respondent's daughter appeared for the NEET UG Examination 2024 and qualified with a score of 75.58%. An application was submitted on 02.08.2024 to the Assistant Director, Ex-Servicemen's Welfare Office, Dharmapuri (the 2nd Respondent herein), for the issuance of a Priority Certificate in favour of her daughter, which is one of the requisite document for MBBS admission under the Tamil Nadu State Quota. However, the said certificate was not issued on that date.

(iv) While so, the respondent preferred W.P.No.23471 of 2024, which was disposed of on 12.08.2024 with a direction to the 2nd appellant herein to consider the request. In compliance with the order of this Hon'ble Court, the 2nd appellant-department passed an order rejecting the request for another Dependent/Priority Certificate under Tamil Nadu State Quota vide Na.Ka.NO.2915/2022/A2. The rejection was based on the deceased soldier's service and school records, indicating his nativity as Karnataka. It was also stated that a Dependent/Priority Certificate bearing No.1947/2024/A2 had already been issued on 05.07.2024 in favour of the respondent's daughter, Vishnu Priya S., for the Central Government Quota(Ministry of Defence).

(v) The said rejection order dated 14.08.2024 was challenged by the

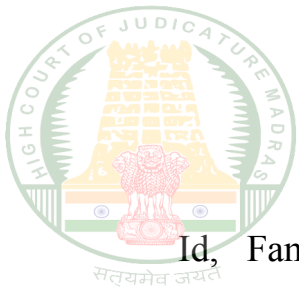


WA NO. 1008 of 2025

respondent/student's mother in W.P.No.24466 of 2024, wherein the learned Single judge by order dated 30.09.2024, allowed the said writ petition by setting aside the rejection order, and directed the Directorate of Ex-Servicemen's Welfare department to issue a priority certificate under Tamil Nadu Quota within two weeks. Aggrieved by the said order, the appellants have filed the present writ appeal.

3. The learned Additional Government Pleader appearing for the appellant-Department submits that the Army Service records and death intimation of the respondent's husband indicate his Permanent address as Bengaluru, Karnataka, thereby establishing his nativity as Karnataka. Furthermore, despite already availing the Central Quota benefit, the Respondent submitted a representation seeking a second Dependent certificate for admission under the Tamil Nadu State Quota, claiming residence at Elangalapatti Village, Palacode Taluk, Dharmapuri District. It is submitted that the previously issued certificate was acknowledged and utilized by the Respondent.

4. In response, the learned counsel for the respondent submits that the address proof in all basic and necessary documents viz, Aadhar Card, Voter



WA NO. 1008 of 2025

Id, Family card, community certificate, the Native Certificate of the Respondent's Husband dated 04.03.2024 and the approval for change of permanent Home address issued by the ZSWO/Madras Engineering group of Bangalore dated 10.07.2023 reflects aforementioned address. Based on these documents, the Respondent prays for issuance of a Dependent Certificate under the Tamil Nadu state Quota.

5. Heard both the learned counsel for the appellant and the Respondent and perused the records.

6. It is pertinent to note that, based on the records submitted by the Respondent, it can be seen that the Respondent's daughter is a resident of Tamil Nadu and has also completed a part of her schooling within the State of Tamil Nadu. The address proof documents submitted by the Respondent would enable her to obtain a Nativity certificate from the Tamil Nadu Revenue department for the purpose of MBBS admission.

7. In essence, the documents furnished provide the foundational evidence necessary to support the application for issuance of the Dependent Certificate under Tamil Nadu Quota. Furthermore, eligibility for availing a



WA NO. 1008 of 2025

certificate under central quota does not preclude a dependant of a deceased ex-army serviceman from also availing benefits under the State Quota. The two systems operate in parallel, providing distinct avenues for admission based on different sets of rules and seat allocations.

8. The learned Single Judge, after looking into the entire facts and circumstances along with the documents filed in support of the petitioner's claim, allowed the writ petition and quashed the impugned order passed by the 2nd respondent and directed the 2nd respondent to issue Dependant Certificate/Priority Certificate to the petitioner's daughter, within a period of two weeks.

9. We deem it fit to state that Personnel serving in the armed forces are frequently transferred from one location to another across the country. With each posting, they are required to declare a residence address within the jurisdiction of their current station; often a temporary arrangement made for official correspondence. Unlike civilians, their lives are governed by the unpredictable demands of national duty, grounded in the ethos of "**Service Before Self.**" Their unwavering discipline, resolute willpower, and exceptional patriotism are truly commendable. In view of this, it is imperative



WA NO. 1008 of 2025

that authorities recognize the unique nature of military life and ensure that their families especially their children are not subjected to unnecessary hardship or denied rightful entitlements, including certificates and benefits at right time. Therefore, compassion and consideration must guide such decisions, honouring not only the service member's sacrifice but also the well-being of their family members.

10. In view of the above discussion, we have no hesitation to dismiss the present writ appeal. Accordingly, this Writ Appeal is dismissed. The appellants-Department is directed to issue Dependant Certificate/Priority Certificate to the respondent's daughter forthwith. No costs.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)
15-07-2025

nvsri

Note: Issue order copy today.

J.NISHA BANU, J.
AND
M.JOTHIRAMAN, J.

nvsri



WA NO. 1008 of 2025

WEB CUM

To

1.The Director

Directorate of Ex-Servicemens Welfare, Office of the
Directorate of Ex-Servicemens Welfare, No.22, Raja
Muthiah Salai, Choolai, Chennai - 600 003.

2.The Assistant Director

Ex-Servicemen's Welfare Office
Office of the Directorate of Ex-Servicemen's
Welfare
Dharmapuri-636 705

WA NO. 1008 of 2025

15.07.2025