



W.A.(MD)No.758 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.(MD)No.758 of 2022
and
C.M.P.(MD)No.6346 of 2022**

Lakshmi

... Appellant

Vs.

1.The District Collector,
Office of the District Collector,
Tuticorin District, Tuticorin.

2.The Tahsildar,
(Social Security Scheme),
Ettaiyapuram,
Tuticorin District.

3.The Tahsildar,
(Social Security Scheme),
Vilathikulam Taluk,
Vilathikulam,
Tuticorin District.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal and set aside the order dated 06-01-2022 made in W.P.(MD).No.20426 of 2021 on the file of this Court.



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For Appellant : Mr.S.Kanagarajan

For Respondents : Mr.K.Balasubramni,
Spl. Government Pleader.

JUDGMENT

(Judgment of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The appellant was getting destitute widow pension. It was suddenly stopped. Aggrieved by the stoppage of pension, the appellant filed W.P.(MD)No.8460 of 2017. The writ petition was allowed vide order dated 09.10.2018. Aggrieved by the same, the authorities filed W.A.(MD)No.645 of 2019. The Hon'ble Division Bench vide order dated 15.02.2011 called upon the authorities to conduct enquiry in the matter. Following the said direction, the order dated 12.05.2021 came to be passed negating the appellant's request. Questioning the same, the appellant filed W.P.(MD)No.20426 of 2021. The learned Single Judge vide order dated 06.01.2022 dismissed the writ petition on the ground that the appellant cannot be called as a destitute. Challenging the same, the present writ appeal has been filed.



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3.The only reason for dismissing the writ petition was that the appellant is said to be taken care of by one Rajaram, a distant relative. This by itself in our view may not be sufficient to deny relief to the appellant. The appellant was admittedly aged about 68 years when she filed the writ petition. It is not the case of the respondents that she is having any property or asset in her name. She has no family to call as her own. Merely because a good samaritan is taking care, that will not change the appellant's status. These are matters in which a liberal approach has to be adopted and not a technical approach. Even if Rajaram is taking care of the appellant, if the appellant is getting a sum of Rs.1,200/-, it confers same dignity on her.

4.In this view of the matter, the order impugned in this writ appeal is set aside and the writ appeal is allowed. The question of paying arrears will not arise. The respondents are directed to resume payment of destitute widow pension to the appellant from 01.04.2025 onwards. If the appellant is getting old age pension, the question of paying destitute



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widow pension does not arise at all. No costs. Consequently, connected
miscellaneous petition is closed.

**(G.R.S. J.) & (M.J.R. J.)
11.03.2025**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The District Collector,
Office of the District Collector,
Tuticorin District,
Tuticorin.
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