



W.A.(MD) No.143 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR. JUSTICE A.D.MARIA CLETE

W.A.(MD) No.143 of 2025
and C.M.P.(MD) No.945 of 2025

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Social Welfare and Nutritious
Meal Programme Department,
Fort St.George, Secretariat,
Chennai – 600 009.

2.The Director,
Tamil Nadu Social Welfare and Nutritious
Meal Programme Department,
Chennai – 600 009.

3.The Tahsildar,
(Social Security Scheme),
Madurai North,
Madurai District.

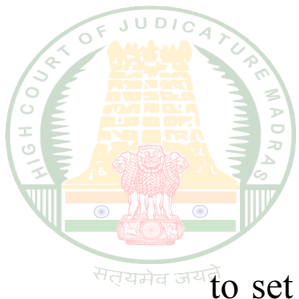
... Appellants

Vs.

T.Alagu

... Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent Act, praying



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to set aside the portion relating to making payment of arrears of Widow Pension to the respondent herein in the order passed by this Court in WP(MD) No. in WP(MD) No.8965 of 2015 dated 22.08.2023.

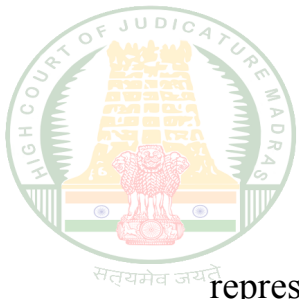
For Appellants : Mr.S.Shaji Bino,
Special Government Pleader

For Respondent : M/s.P.Kalaiyarasi Bharathi

JUDGMENT

(Order of the Court was made by *M.S.RAMESH, J.*)

The respondent herein was awarded pension on 28.05.2010 of Rs. 400/- per month under the Destitute Widow Pension Scheme of the Government of Tamil Nadu. In the year 2014, the pension was suddenly stopped without any notice to the respondent. On 10.09.2014, she had given a representation to the appellants seeking for disbursement of the pension amount and since the representation was kept pending indefinitely, she had filed a Writ Petition before this Court in W.P.(MD) No.2051 of 2015 to redress her grievance. The Writ Court through its order dated 17.02.2015, had directed the appellants to consider her



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representation within a stipulated time. The appellants had passed an order on 31.03.2015, rejecting the respondent's claim, by holding that the respondent was working as a housemaid and her only son, who was employed as an electrician, was taking care of her. When this rejection order was put under challenge before the Writ Court in W.P.(MD) No. 8965 of 2015, the learned Single Judge through an order dated 22.08.2023, had set aside the order on the ground that the original pension sanction order has not been cancelled in the manner known to law and therefore, directed to resume payment of the monthly widow pension to the respondent herein, together with arrears. This order is put under challenge in this Intra-Court Appeal.

2. It is not in dispute that the respondent herein was sanctioned the Destitute Widow Pension Scheme by the Social Welfare and Nutritious Meal Programme Department on 28.05.2010. It is also not in dispute that the pension was suddenly stopped from the year 2014 onwards, without any notice or cancellation of the original sanction order.

3. When the respondent's claim for the benefits of the scheme has



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been duly considered by the concerned Department and orders have been passed sanctioning the Destitute Widow Pension, the appropriate remedy available to the appellants would be to cancel the sanction order in a manner known to law, apart from following the principles of natural justice. When the original sanction order has not been cancelled by the appellants, we do not find any ground to interfere with the order of the Writ Court.

4. In the result, the Writ Appeal stands dismissed. No costs. Connected miscellaneous petition is closed.

[M.S.R., J] [A.D.M.C., J]

28.01.2025

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

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and
A.D.MARIA CLETE, J.

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