



W.P.No.48579 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.48579 of 2025
And
W.M.P.No.54239 of 2025**

Lakshmi Priyanka Kanakala

... Petitioner

Vs.

- 1 THE GOVERNMENT OF PUDUCHERRY (UNION TERRITORY)
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE
REFORMS (PERSONNEL WING)
PUDUCHERRY.
- 2 THE GOVERNMENT OF PUDUCHERRY (UNION TERRITORY)
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT
PUDUCHERRY.
- 3 THE DISTRICT COLLECTOR
OFFICE OF THE DISTRICT COLLECTOR
PUDUCHERRY.
- 4 THE SUB-COLLECTOR (REVENUE)
OFFICE OF THE SUB-COLLECTOR
YANA,
UNION TERRITORY OF PUDUCHERRY.
- 5 DEPUTY TAHSILDAR – CUM – EXECUTIVE MAGISTRATE,
SUB-TALUK OFFICE YANAM,
UNION TERRITORY OF PUDUCHERRY. ... Respondents



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Prayer:

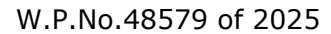
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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the impugned order passed by the fourth respondent, pertaining to the dismissal order in Appeal No.4007/SCRY/D1/EWS/2025-26/569, dated 07.10.2025, based on the rejection of the fifth respondent in order No.1125STOY/EWS-Refusal/2025-26/44, dated 20.08.2025 respectively and quash the same and direct the fifth respondent to issue the Economically Weaker Section Certificate to the petitioner to avail the post of Assistant and consequently directing the first respondent to keep one post of Assistant until the petitioner's claim is deiced and appointment is given to her.

For Petitioner : Mr.T.Sai Krishnan
for M/s.V.Kamal
For Respondents : Mr.R.Sreedhar
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the order passed by the fourth respondent, pertaining to the dismissal order in Appeal No.4007/SCRY/D1/EWS/2025-26/569, dated 07.10.2025, based on the rejection of the fifth respondent in order No.1125STOY/ EWS-Refusal/2025-26/44, dated 20.08.2025 respectively and quash the



2. The learned counsel appearing for the petitioner submitted that the petitioner belongs to KAPU Community which is OC category, belongs to the economically weaker section and is residing with her husband at Yanam. The petitioner got married to one Bandaru Venkatesh Kumar on 17.12.2021 at Agnikula Kshatriya Mahavidyalaya, Bejawada Gardens, Yanam and the same was solemnized before the Sub-Registrar Yanam on 11.01.2022 and started their matrimonial home at the residence of her husband at Yanam. After the wedlock, they were blessed with a daughter on 13.12.2022. However, there was a matrimonial dispute between the petitioner and the husband, thereby, the petitioner filed a divorce petition in HMOP No. 10 of 2025 before the learned I Additional Senior Civil Judge, Yanam and divorce was granted on 19.12.2025.

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submitted that the petitioner applied for the post of Assistant (Group "B" Non-Gazetted Ministerial in Level 6 of pay matrix) and was selected under Economically Weaker Section. After certificate verification, the petitioner was instructed to produce EWS certificate. The petitioner applied for issuance of Income and Asset Certificate for Economically Weaker Section before the fifth respondent along with declaration/ affidavit for issuance of EWS Certificate (EWS certificate for the financial year 2023 – 2024 valid for the year 2024 – 2025) and the same was refused by the fifth respondent on the ground that the petitioner's father own 10 cents of vacant land, mother own 122 sq.mts. of vacant land and her husband own 135 sq.mts. of vacant land and aggrieved by the same, the petitioner preferred appeal before the fourth respondent and the fourth respondent passed the impugned order confirming the order passed by the fifth respondent.

4.The learned counsel appearing for the petitioner further submitted that the petitioner's husband sold the 135 sq.mts. of vacant land owned by him to third party on 29.07.2024 and the petitioner's mother sold the 122 sq.mts. of vacant land owned by her to third party on the same day on 29.07.2024. Hence the impugned order is not sustainable one.



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5.The learned Additional Government Pleader submitted that the petitioner made application for issuance of EWS Certificate and conveniently, the petitioner's mother and husband sold the property in order to enable the petitioner to avail EWS Certificate for getting appointment. Hence, the petitioner did not approach this Court with clean hands. He further submitted that if the property had been sold prior to March, 2024, the petitioner would have been entitled to get EWS Certificate, however, the property was sold during July, 2024.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.The petitioner applied for the post of Assistant and was selected under Economically Weaker Section and she was instructed to produce EWS certificate and hence, the petitioner applied for EWS Certificate, however, the same was refused by the fifth respondent on the ground that the petitioner's father own 10 cents of vacant land, mother own 122 sq.mts. of vacant land and her husband own 135 sq.mts. of vacant land and aggrieved by the same, the petitioner preferred appeal before the fourth respondent and the fourth respondent confirmed the order passed by the fifth respondent.



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8.The notification for the post of Assistant was issued on 14.03.2024 and on the date of notification, the petitioner or her family may not be inclined for alienating the property. There was matrimonial dispute between the petitioner and her husband and they are living separately and the petitioner filed divorce petition in HMOP No.521 of 2025 before the learned I Additional Senior Civil Judge Kakinada and divorce was granted on 19.12.2025. The petitioner's mother and husband had sold the property owned by them and now only the petitioner's father own 10 cents of vacant land. Hence, refusing to issue EWS Certificate is not sustainable one.

9.The impugned order is set aside and the respondents are directed to issue EWS Certificate to the petitioner, within a period of two weeks from the date of receipt of a copy of this order, so as to enable the petitioner to secure the job. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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