

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.6116 of 2015

S.Rajamanickam

... Petitioner

vs.

1. The Secretary to Government,
Revenue Department,
secretariat, Fort. St. George,
Chennai - 600 009
2. The Secretary to Government,
Social Welfare Department,
secretariat, Fort St.George,
Chennai - 600 009
3. The District Collector,
Collectorate of Villupuram District
Villupuram taluk and District
Pin 605 602
4. The Special Tahsildar
(Social security scheme)
villupuram & Vikkaravandi Taluk,
Villupuram District
5. The Tahsildar,
Vikkaravandi Taluk Office,
Vikkaravandi Post and Taluk,
Villupuram District

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to implement the order made in Ni.Mu(C-1)2011 dated 08.02.2011 on the file of the 4th respondent to pay the old age pension with arrears due to the petitioner regular or periodically monthly payment without causing any undue delay.

For Petitioner : Mr.A.Thamizharasan

For Respondents: Mr.R.Vijayakumar

Additional Government Pleader

ORDER

Heard Mr.A.Thamizharasan, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents. With the consent of either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2. The petitioner seeks for a direction upon the respondents to implement order dated 08.02.2011. By the said order, the 4th respondent sanctioned old age pension to the petitioner and the petitioner has been receiving pension. All of a sudden, the pension has been stopped without assigning any reasons. Therefore, the petitioner has filed this Writ petition for the afore mentioned relief.

3. If the order dated 08.02.2011 has not been cancelled or modified till date, then, there is no justification on the part of the respondents 4 and 5 to stop the old age pension. If there is any other information received by the authorities, which dis-entitles the petitioner from receiving old age pension, then, the authorities have to issue notice to the petitioner and after affording opportunity to the petitioner shall pass orders. However, the respondents are not justified in abruptly stopping the old age pension to the petitioner. In this regard, several representations have also been submitted to the authorities concerned and to the Hon'ble Chief Minister, Special cell since none of the representations evoked any response, the petitioner has approached this Court.

4. In the light of the above, this Writ Petition is disposed of by directing the respondents 3 to 5 to continue to pay the old age pension to the petitioner, if the order dated 08.02.2011 sanctioning pension by the respondent is not cancelled or modified. If there is any allegation, which dis-entitles the petitioner from receiving old age pension, then, it is open to the respondents 3 to 5 to issue show cause notice to the petitioner and proceed further after affording opportunity in full to the petitioner. The above direction shall be complied with by the respondents 3 to 5 within a period of six weeks from the date of receipt of copy of this order.

5. With the above observation, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Revenue Department,
secretariat, Fort. St. George,
Chennai - 600 009
2. The Secretary to Government,
Social Welfare Department,
secretariat, Fort St.George,
Chennai - 600 009
3. The District Collector,
Collectorate of Villupuram District
Villupuram taluk and District
Pin 605 602
4. The Special Tahsildar
(Social security scheme)
villupuram & Vikkaravandi Taluk,
Villupuram District
5. The Tahsildar,
Vikkaravandi Taluk Office,
Vikkaravandi Post and Taluk,
Villupuram District

+ 1 cc to Mr.A. Thamizharasan, Advocate SR.12489

+ 1 cc Government Pleader Sr.12956

SCD(CO)
EU 17.03.2015

सत्यमेव जयते

W.P.No.6116 of 2015

WEB COPY