



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Tenth day of February Two Thousand Sixteen

PRESENT

THE HON`BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON`BLE MR.JUSTICE C.T.SELVAM

REV.APLC(MD) No.115 of 2015

1 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

2 THE TAHSILDAR,
SOCIAL SECURITY SCHEME,
THIRUPPARANKUNDRAM TALUK,
MADURAI DISTRICT.

..PETITIONERS/APPELLANTS

Vs

VENUNATHAN,

... RESPONDENT/RESPONDENT

PRAYER IN REV.APLC(MD)NO.115/2015:

Review Petition filed under order 47 Rule 1 & 2 of Civil Procedure Code praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to review the order passed in W.A.(MD)No.1420 of 2014 dated 04.06.2015 with reference to the order relating to making retrospective payment of old age pension to the respondent herein on his attaining the age of 60 years i.e. from the year 2000.

PRAYER IN WA(MD)NO.1420/2014 :

Writ Appeal filed under clause 15 of letter patent, against the order dated 11.09.2014 made in WP(MD)No.15098 of 2014.

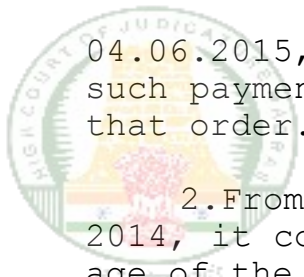
PRAYER IN WP(MD)NO.15098 OF 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent in Na.Ka.NO.3335/2014/G dated 20.6.2014, quash the same and consequently directing the respondents to grant old age pension to the petitioners.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of MR.M.ALAGUTHEVAN GOVERNMENT PLEADER, Advocate for the petitioner and Respondent (as party in person) the court made the following order:-

(Order of the Court was made by S.MANIKUMAR,J.)

Learned Special Government Pleader appearing for the review petitioners submitted that since there were no material as to when the respondent attained the age of 60 years, arrears of old age pension could not be ascertained and paid, though vide order dated



04.06.2015, made in W.A.(MD) No.1420 of 2015, this Court directed such payment within four weeks from the date of receipt of a copy of that order.

2.From the order dated 11.09.2014, made in W.P.(MD) No.15098 of 2014, it could be deducted that as on the said date of disposal, the age of the respondent, mentioned as 74, was not disputed.

3.We have enquired the respondent and he has stated that he has no records to show the date of birth. However, he replied that he was born in the month of March, 1941.

4.In the absence of any particulars, this Court deems it fit to take 11.09.2014, the date of disposal of W.P.(MD) No.15098 of 2014 and to fix the year, in which he attained 60 years, as eligible for old age pension. Thus, if 14 years is deducted from 2014, he would have attained the age of 60 years in the year 2000.

5.The Review Petitioners are directed to take September, 2000 as the month, in which respondent attained the age of 60 and compute the arrears of pension from September, 2000. Computation and payment shall be made within two weeks from today. It is made clear that if this order is not complied with, this Court would be constrained to initiate appropriate proceedings under the Contempt of Courts Act.

6.Mr.M.Alagathevan, learned Special Government Pleader will communicate this order to the review petitioners for implementation.

7.Post the matter on 24.02.2016 at 2.15 p.m.

sd/-
10/02/2016

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
1 THE DISTRICT COLLECTOR,
MADURAI DISTRICT, MADURAI.

2 THE TAHSILDAR,
SOCIAL SECURITY SCHEME,
THIRUPPARANKUNDRAM TALUK,
MADURAI DISTRICT.

+1. C.C. to SPL.GOV'T PLEADER Advocate SR.No.8212

ORDER
IN
REV.APLC(MD) No.115 of 2015
Date :10/02/2016