

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.06.2016

CORAM

The Hon'ble Mr.Justice M.Sathyanarayanan

W.P.No.17524 of 2016

Padmakumari M.P.

... Petitioner

Vs

1. The Director
Department of Women and Child Development,
Government of Puducherry,
Sithakudi,
Puducherry.
2. The Regional Administrator,
Government of Puducherry, Mahe.
3. The Social Welfare Officer,
Department of Women and Child Development,
Government of Puducherry, Mahe.
4. The Deputy Collector,
Mahe.
5. The Deputy Tahsildar (Revenue)
Sub Taluk Office, Mahe.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus directing the fifth respondent to issue a fresh income certificate, pursuant to the amended 'the Puducherry Old Age Persons and Destitute Pension Rules, 2011' after conducting a fresh enquiry and providing an opportunity of hearing to the petitioner, within the time, that may be stipulated by this Court.

For Petitioner : M/s.Y.Kavitha

For Respondents : Mr.A.Tamil Vanan
Government Advocate (Puducherry)

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner would state that, she is an housewife, and her husband, who was working in Cannonoor Spinning Weaving Mills at Mahe, retired from service on 30.07.2005. It is further stated by the petitioner that, out of the wedlock, they had a son and daughter, and their son had permanently settled in Germany, and he is not in touch with them, due to strained relationship, and her daughter has married one Mahesh, and residing in the matrimonial home.

3. The grievance expressed by the petitioner is that her husband, on account of his earlier occupation, received a portion of minimum pension, and with that amount, both of them are unable to maintain themselves, and eke out normal livelihood with basic amenities, and therefore, she submitted a representation for getting old age pension. However, the said request, i.e., for disbursal of the old age pension, was objected to. The petitioner would further state that for getting the said old age pension, income certificate has to be issued, and their income has been assessed at Rs.36,000/- as against Rs.75,000/-. In this regard, the petitioner has submitted a representation, dated 23.08.2015, to the Chief Secretary, Union Territory of Puducherry, for re-consideration of the decision of the fifth respondent, and since she is yet to be favoured with any response, she has filed this Writ Petition.

4. Heard M/s.Y.Kavitha, the learned counsel appearing for the petitioner and Mr.A.Tamil Vanan, learned Government Advocate (Puducherry), who accepts notice on behalf of respondents.

5. In the light of the above facts and circumstances of the case, this Court permits the petitioner to submit one more representation to the fifth respondent within a period of two weeks from the date of receipt of a copy of this order, and the fifth respondent, on receipt of the said representation, is directed to afford an opportunity of personal hearing to the petitioner, and pass orders in accordance with law, within a further period of three weeks thereafter, and communicate the decision taken to the petitioner.

6. The Writ Petition is disposed of, accordingly. No costs.

-s/d-

Assistant Registrar(CSIII)

True Copy

Sub-Assistant Registrar

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To

1. The Director
Department of Women and Child Development,
Government of Puducherry,
Sithakudi,
Puducherry.
2. The Regional Administrator,
Government of Puducherry,
Mahe.
3. The Social Welfare Officer,
Department of Women and Child Development,
Government of Puducherry, Mahe.
4. The Deputy Collector,
Mahe.
5. The Deputy Tahsildar (Revenue)
Sub Taluk Office, Mahe.

+1 cc to the Government pleader for puducherry sr.29287

+1 cc to M/s.Y.Kavitha Advocate sr.29172

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