

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2016

C O R A M

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.33720 of 2016

C.Velumail Asari

... Petitioner

Vs

1.The Secretary,
Government of Tamil Nadu,
Tamil Development and Culture Department,
Fort St. George, Chennai - 9.

2.The Director of Tamil Development and Culture,
Halls Road, Egmore, Chennai - 8.

3.The District Collector,
Kanyakumari District, Nagercoil.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to sanction arrears of pension to the petitioner with effect from 01.01.2000 instead of paying from 21.04.2006 under TamilNadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983.

For petitioner ... Mr.K.Sathish Kumar

For respondents ... Mr.S.V.Duraisolaimalai
Additional Government Pleader

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ORDER

Heard Mr.K.Sathish Kumar, learned counsel for the petitioner and Mr.S.V.Durai Solaimalai, learned Additional Government Pleader, accepting notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner submits that the pension amount of Rs.4,000/- per month was sanctioned to him with effect from 21.04.2006, under the provisions of Tamil Nadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983, and the petitioner submitted a representation dated 18.03.2016, seeking for arrears of pension, from 01.01.2000 to 21.04.2006. However, the said representation was not considered by the respondent till date. The grievance of the petitioner is that all similarly placed persons like that of the petitioner were granted similar relief, viz., payment of arrears of pension from 01.01.2000 to 21.04.2006, by this Court in a batch of writ petitions, viz., WP.Nos.3663/2013 etc., batch, wherein this Court issued the following directions:

"10.Considering the issue, which is already settled by this Court granting relief of sanction of arrears of Tamil Scholar pension from 01.01.2000 and having regard to the submission of the learned counsel for the petitioners that the petitioners in W.P.Nos.4647 to 4649 of 2013 are restricting their claim of arrears of Tamil Scholar pension only from 01.01.2000 and also of the fact that the petitioners in W.P.Nos. 3663 and 3664 of 2013 have submitted their applications, only on 25.11.2002 and 29.6.2001 respectively, these writ petitioners are allowed by giving direction to the respondents to sanction arrears of Tamil Scholar pension to the petitioner in W.P.No.3663 of 2013 from 25.11.2002 and to the petitioner in W.P.No.3664 of 2013 from 29.6.2001 till the date of sanction of Tamil Scholar pension based on the respective Government Order. Insofar as the petitioners in W.P.Nos.4647 to 4649 of 2013 are concerned, the respondents are directed to sanction arrears of Tamil Scholar Pension from 01.01.2000 to 21.04.2006. The arrears payable to each of the petitioner shall be calculated and paid by the respondents, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed."

With these facts, the petitioner submitted a representation on 18.03.2016, which is pending before the respondents for consideration.

3 In the light of the above, there will be a direction to the second respondent to consider the petitioner's representation dated 18.03.2016, and pass orders on merits and in accordance with law, by taking note of the above referred decision and the directions shall be complied with by the second respondent, within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Government of Tamil Nadu,
Tamil Development and Culture Department,
Fort St. George, Chennai - 9.
- 2.The Director of Tamil Development and Culture,
Halls Road, Egmore, Chennai - 8.
- 3.The District Collector,
Kanyakumari District, Nagercoil.

+lcc to Mr.K.Sathishkumar, Advocate, S.R.No.54817

सत्यमेव जयते

W.P.No.33720 of 2016

(CO)ALA
CP(20/10/2016)

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