

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

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

Writ Petition No.3629 of 2016

Dharmapuri, Krishnagiri, Salem, Erode
and Namakkal District,

Sri Unnamalaiyar Unorganized

Construction Workers' Welfare Association,

rep. by Mr.R.Madhu,

Regn.No.590/DRP,

Southern Railway Line,

Kumarasampettai, Dharmapuri.

... Petitioner

Vs.

1. Tamil Nadu Manual Workers Welfare Board,

rep. by its Secretary,

G133, Chithamani Co-operative Commercial Complex,

Anna Nagar East, Chennai - 600 102.

2. Labour Officer (Social Security Scheme)

Dharmapuri.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to dispose of the applications for pension submitted through the petitioner-Association based on the representation of the petitioner, dated 28.07.2015.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.R.Rajeswaran
Special Government Pleader

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O R D E R

By consent, the Writ Petition is taken up for final disposal, at the stage of admission itself.

2. The petitioner is a Workers' Union. Seeking protection for the welfare of the manual workers, whose nature of employment has been monitored by the Tamil Nadu Manual Workers'

Welfare Board, the petitioner-Association claims for grant of pension to its members. Though earlier, a joint application was given by the petitioner-Association on behalf of its members, it appears that subsequently, individual representations have been given by the members of the petitioner-Association, claiming for pension. Those applications have been forwarded to the second respondent by the first respondent, vide proceedings, dated 13.8.2015 and 19.08.2015. The grievance of the petitioner-Association is that, in spite of the applications have been forwarded to the second respondent, no action has been initiated by the second respondent till date.

3. The learned Special Government Pleader for the respondents submitted that, unless and until, individual representations have been received, the same cannot be processed, and if applications are submitted by the members of the petitioner-Association individually, then, action would be initiated in accordance with law.

4. In the light of the direction already issued by the first respondent to the second respondent, in the aforesaid communications, dated 13.8.2015 and 19.08.2015, there will be a direction to the second respondent to consider the individual applications submitted by the members of the petitioner-Association for the grant of benefits under the scheme, if the applications are in order, and pass appropriate order on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sd

To

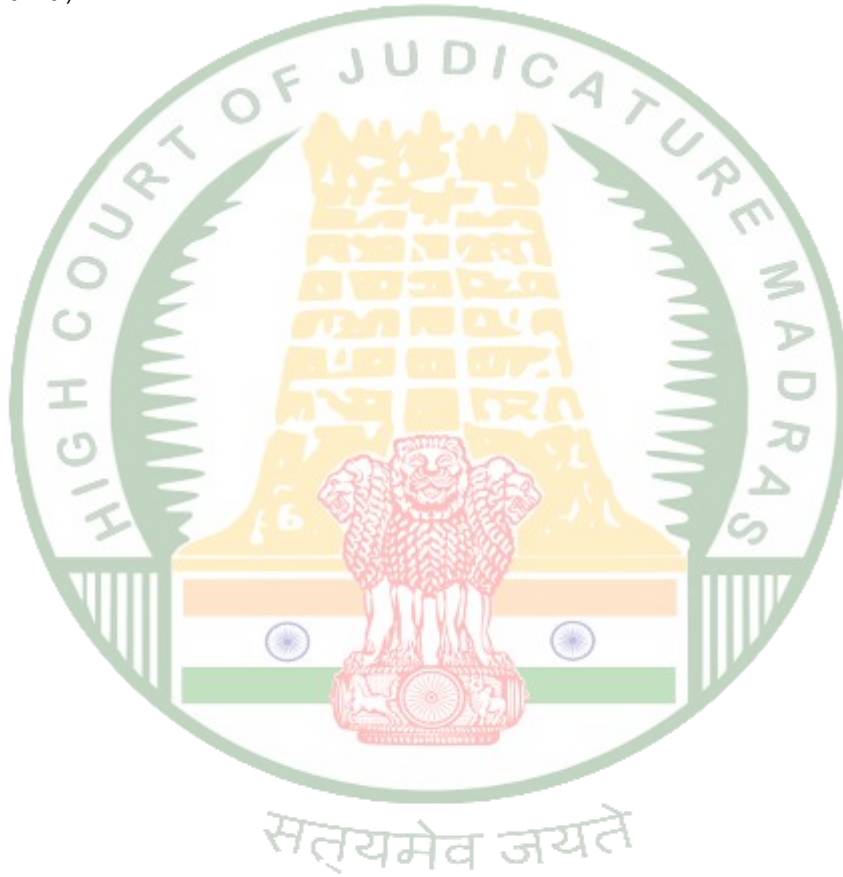
1. The Secretary,
Tamil Nadu Manual Workers Welfare Board,
G133, Chithamani Co-operative Commercial Complex,
Anna Nagar East,
Chennai - 600 102.

2. Labour Officer (Social Security Scheme)
Dharmapuri.

+1cc to Mr.M.Selvam, Advocate, S.R.No.6208
+1cc to the Government Pleader, S.R.No.6559

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SAI (CO)
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