

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.36860 of 2016

A.Chandra

.. Petitioner

- Vs -

1. The District Collector,
Kanchipuram District,
Kanchipuram.

2. The Tahsildar,
Thirukkazhukundram,
Kanchipuram District.

.. Respondents

Prayer:- Writ petition filed under Section 226 of the Constitution of India for issuance of a Writ of Mandamus directing 1st and 2nd respondents to pay the disability pension amount in pursuant to the 2nd respondent order in Nee.Mu.No.350 of 2013/AR2 dated 28.01.2013 from the month of September 2015 onwards by considering the petitioner's representation dated 22.01.2016 and 24.03.2016 within a timeframe.

For Petitioner : Mr.Kesavan

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

The petitioner has come forward with this writ petition seeking a Mandamus directing the respondents to pay the disability pension amount in pursuant to the 2nd respondent order in Nee.Mu.No.350 of 2013/AR2 dated 28.01.2013 from the month of September 2015 onwards by considering the petitioner's representations dated 22.01.2016 and 24.03.2016 within a time frame.

2. According to the petitioner she was continuously receiving disability pension from the year 2013 onwards. But suddenly from September 2015 the second respondent has stopped the pension without giving any reason at all.

3. Today, when the matter was taken up, the respondents have filed a counter stating that the pension amounts sent by money order to the petitioner for the months of September 2015, October 2015 and November 2015 were returned with the postal endorsement as "No such person" and therefore the pension amount for the said period were remitted back to the Government account.

4. It has been further stated in the counter that from the month of October 2016, the pension amount was directly credited to the petitioner's bank account.

5. From this, it is very clear that the petitioner is entitled for disability pension amount. Merely because the money order was returned by the post office this cannot be the reason not to pay the arrears amount. Therefore, the respondents are directed to pay the arrears disability pension amount to the petitioner from September 2015 to September 2016 directly to her bank account within a period of four weeks from the date of receipt of a copy of this order and they should continue to pay the pension amount in future without any break. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Kanchipuram District, Kanchipuram.
2. The Tahsildar,
Thirukkazhukundram,
Kanchipuram District.

+1cc to Mr.K.Kesavan, Advocate Sr.63481
+1cc to the Government Pleader Sr.63937

W.P.No.36860 of 2016

ug[co]
sr 10/11/2016