

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9225 of 2016

C.P.Mythili

.. Petitioner

Vs.

The Tahsildar,  
Velachery,  
Chennai-600 113.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to consider the representation of the petitioner, dated 14.12.2015 and NSAP Enrollment Form, dated 13.07.2015 and consequently pass appropriate final orders within a reasonable time frame as may be fixed by this Court.

For Petitioner : Mr.Jagannath Badrinath

For Respondent : Mr.P.Karthikeyan, Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondent to consider the representation of the petitioner, dated 14.12.2015 and NSAP Enrollment Form, dated 13.07.2015 and consequently pass appropriate final orders within a reasonable time frame as may be fixed by this Court.

2. In the affidavit filed in support of the Writ Petition, it is averred by the petitioner that she is a spinster and suffering from Leukoderma (also known as Vitiligo) disease. It is further stated by the petitioner that the National Social Assistance Programme (NSAP) Scheme is a social security scheme which came into effect from 15.08.1995 and represents a significant step towards the fulfillment of the Directive Principles of State Policy as enunciated under Article 41 of the Constitution. The said NSAP Scheme is meant for poor and aims at ensuring minimum national standard for social assistance, in addition to the benefits that States are currently providing or might provide in future. The said NSAP Scheme at present comprises of Indira Gandhi National Old Age Pension Scheme

(IGNOAPS), Indira Gandhi National Widow Pension Scheme (IGNWPS), Indira Gandhi National Disability Pension Scheme (IGNDPS), National Family Benefit Scheme (NFBS) and Annapurna. It is the further case of the petitioner that she falls under the said NSAP Scheme to get the pension for the above said disease and that she is going to complete 60 years of age on 04.04.2016.

3. It is further stated by the petitioner that she submitted a form, dated 13.07.2015 to the respondent for enrolling her under the above said NSAP Scheme under the category of unmarried women and also gave particulars like Doctor Certificate, School Leaving Certificate, Aadhar Card, Election Voter ID Card, etc., along with her above said form under the said NSAP Scheme. As there was no reply from the respondent in respect of the above submitted form submitted under the above said NSAP Scheme, she caused a representation, dated 12.12.2015 to grant her pension under the Payment of Pension/Aid to Unmarried Women under the NSAP Scheme to the respondent by giving the relevant details. Subsequently, she also sent a representation, dated 14.12.2015 and also her form, dated 13.07.2015 to grant her pension under the NSAP Scheme. Since no action is taken, the petitioner has filed this Writ Petition for the above relief.

4. Heard both sides.

5. Without going into the merits of the claim of the petitioner, this Court directs the respondent to consider the said representation of the petitioner, dated 14.12.2015 and also her NSAP Enrollment Form, dated 13.07.2015, conduct enquiry, give an opportunity of personal hearing to the petitioner and necessary parties and thereafter pass appropriate orders and dispose of the said representation and Enrollment Form, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above observations and directions, the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

CS

Copy to

The Tahsildar,  
Velachery,  
Chennai-600 113.

+1 cc to Mr.Jaganath Badrinath Advocate vider sr.15940/16

W.P.No.9225 of 2016

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