



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22373 of 2016

V.A.M.Mani : Petitioner

Vs.

The Labour Officer (Social Welfare Scheme),
No.372, Rajaram Salai, K.K.Nagar,
Trichirappalli. : Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to grant pension in pursuant to the No Objection Certificate issued by the Special Tahsildar, Distress Relief Scheme, Srirangam, dated 26.8.2015.

For Petitioner : Mr.P.Arun Jayatram
For Respondent : Mr.A.Muthukaruppan,
Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to grant pension, pursuant to the No Objection Certificate issued by the Special Tahsildar, Distress Relief Scheme, Srirangam, dated 26.8.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

3.The brief facts leading to the filing of this writ petition are as follows:

The petitioner is a construction worker and he had registered himself before the Construction Worker Welfare Board, even on 04.03.2003. The Government of Tamil Nadu has introduced social welfare scheme for granting pension to those, who have registered, in the Construction Worker Welfare Board. The petitioner would be eligible to get pension at the rate of Rs.1,000/- per month, after attaining the age of 60 years.

<https://hcservices.ecourts.gov.in/Hcservices/> attaining 60 years, the petitioner applied for pension. It was received by the respondent and the application was forwarded to the Special Tahsildar, Distress Relief Scheme,



Srirangam, for issuance of No Objection Certificate. Accordingly, a certificate has been issued on 26.08.2015. Even, thereafter the respondent did not sanction the pension and issued a communication dated 22.01.2016, stating that the No Objection Certificate has to be obtained with reference to the new address of the petitioner and only after obtaining the same, the request would be considered. Therefore, this writ petition has been filed.

4.The communication dated 22.01.2016 issued by the respondent, expecting / directing the petitioner to submit the No Objection Certificate, whenever there is a change in the address (residence) of the petitioner, is unwarranted and therefore without insisting upon a fresh No Objection Certificate, the respondent is directed to grant pension to the petitioner within a period of eight weeks, from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

The Labour Officer (Social Welfare Scheme),
No.372, Rajaram Salai, K.K.Nagar,
Trichirappalli.

+1CC to M/S.P.Arun Jayatram, Advocate, SR.No. 72361
+1CC to the Special Government Pleader, SR.No. 72436

ORDER MADE IN
W.P (MD) No.22373 of 2016
23.11.2016

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AM/EM MPA/05.01.2017/2P/4C