

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.28258 of 2017

P.Kombiyan
S/o.Periyasami

... Petitioner

vs.

The Special Tahsildar
(Social Security Scheme)
Mambalam - Guindy Taluk,
Chennai.

...Respondent

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay old age pension under the Indira Gandhi National Old Age Pension Scheme together with arrears of pension payable from 01.01.2014 as per the order dated 21.06.2010 of the respondent.

For Petitioner : M/s.T.Hemalatha

For Respondent : Mr.A.Kumar
Special Government Pleader

O R D E R

This writ petition is filed seeking for a mandamus directing the respondent to pay old age pension under the Indira Gandhi National Old Age Pension Scheme, together with arrears of pension payable from 01.01.2014.

2. Heard both sides.

3. There is no dispute to the fact that the petitioner is getting the old age pension in pursuant to the order dated 21.06.2010 passed by the Special Tahsildar, Social Security Scheme, Mambalam - Guindy Taluk, Chennai-600 078 viz., the respondent herein.

4. The grievance of the petitioner is that the said

pension was stopped from 01.01.2014, without any valid reason or issuing any notice to the petitioner.

5. After taking notice in this writ petition, the learned Special Government Pleader, received instructions from the respondent to the effect that the petitioner is not residing in the above said address and therefore, the pension was stopped from 01.01.2014.

6. The learned counsel for the petitioner submitted that such reason is factually incorrect since the petitioner is residing in the very same address all along and the present writ petition is also filed by showing the above said address as the address of the petitioner.

7. Since the respondent has not come out with any other reason for stopping the old age pension to the petitioner, and it appears that the respondent stopped the pension without ascertaining the fact that the petitioner is residing in the very same address all along, I find every justification in allowing the writ petition and directing the respondent to pay the old age pension continuously, also by paying arrears of such pension from 01.01.2014 onwards. Accordingly, the writ petition is allowed and the respondent is directed to pay the arrears of old age pension to the petitioner from 01.01.2014 onwards, within a period of two weeks from the date of receipt of a copy of this order. The respondent shall continue to pay the above said old age pension to the petitioner without any default. No costs.

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Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

The Special Tahsildar
(Social Security Scheme)
Mambalam - Guindy Taluk,

Chennai.

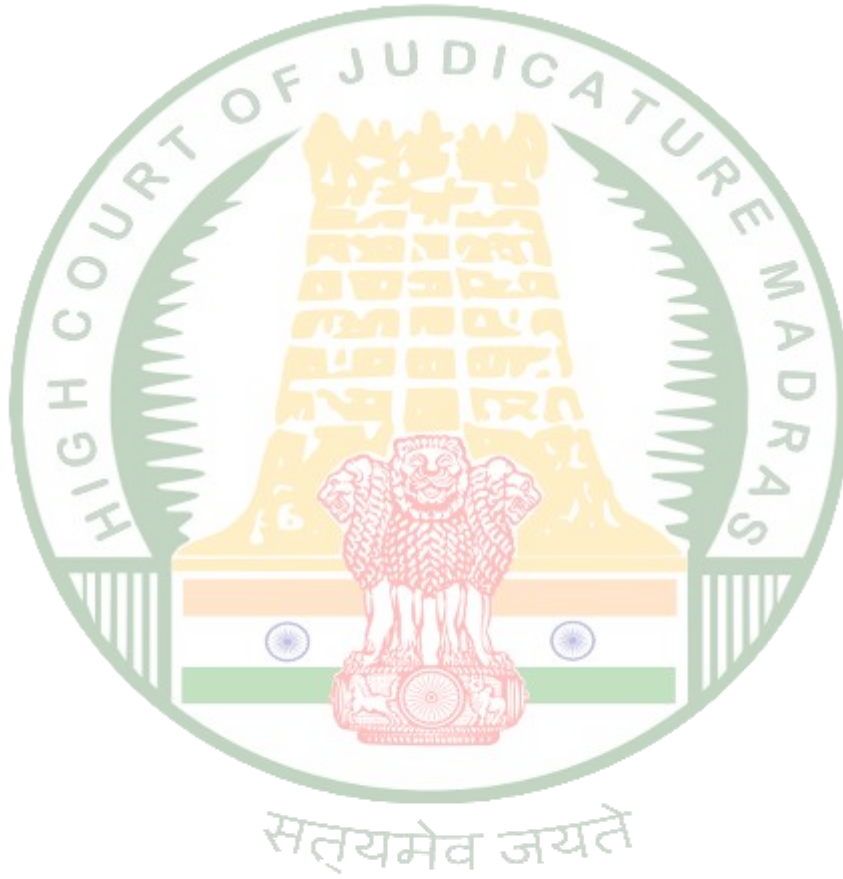
+1cc to Mr.V.Suthakar, Advocate, S.R.No.81855

+1cc to the Government Pleader, S.R.No.

W.P.No.28258 of 2017

KJI (CO)

RRK (30/11/2017)



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