

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2018
CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.2458 of 2018

P.Azhvar

...Petitioner

Vs

1.The Chief Executive Officer/Secretary
Tamil Nadu Manual Workers Welfare Board
G/133, I Main Road, II and III Floor
TNHB Chinthamani Super Market Shopping Complex
Anna Nagar East, Chennai -600 102.

2.The Labour Officer
[Social Security Scheme]
Namakkal District
No.66/34A, Arthanari School Street
S.P.Pudhur Road
Opposite to Iyappan Kovil Street
Mohanoor Road, Namakkal District - 637 015. . Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, directing the respondents to consider the petitioner pension application dated 16.05.2007 compassionately by verifying the petitioner enrollment particulars and the payment made in their office records readily available with the respondent and to allot the petitioner monthly pension along with the pending pension dues, within a specified period ordered by this Hon'ble Court.

For Petitioner : Mr.Vengaliprakash Raj

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to consider the pension application submitted by the writ petitioner on 16.05.2007.

2.The learned counsel appearing on behalf of the writ petitioner states that the petitioner is a member of the Tamil Nadu Manual Workers Board and he is paying subscription continuously. Therefore, he is eligible for pension to avail the benefit of pension under the pension scheme formulated and implemented by the first respondent /Board, in order to get the pension as per the scheme.

3.The writ petitioner submitted an application on 16.05.2007. On receipt of the application, the second respondent asked the writ petitioner to submit the original records and the writ petitioner had submitted the same before the second respondent. Once again the writ petitioner submitted a reminder on 04.09.2017 and the claim of the writ petitioner has not considered so far by the second respondent.

4.The learned counsel for the writ petitioner states that the writ petitioner is aged about 71 years and any further delay will prejudice his right of pension under the Pension Scheme managed by the first respondent Board.

5.Therefore, the second respondent is duty bound to take a decision in respect of the application submitted by the writ petitioner. Under these circumstances, the second respondent is directed to consider the pension application submitted by the writ petitioner on 16.05.2007 and the reminder on 04.09.2017 and pass order on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.The writ petitioner is directed to enclose all the copies of the pension applications as well as the relevant documents if any along with the order passed in this writ petition.

7.Accordingly, this writ petition stands disposed of. However, there is no order as to costs.

Sd/-
Deputy Registrar(CO)

//True Copy//

Sub Assistant Registrar

may a

To

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+2cc to Mr.Vengali.I.Prakash Raj, Advocate, S.R.No.24501

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RRK (24/04/2018)



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