

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.11.2018

CORAM
THE HONOURABLE DR. JUSTICE S. VIMALA

W.P.No.31064 of 2018

R. Vimala

... Petitioner

Vs

1.The Director of Local Fund Accounts,
Integrated Complex for Finance Department,
Government of Tamil Nadu,
Chennai-35.

2.The Regional Joint Director of
Local Fund Accounts,
Government of Tamil Nadu,
Tiruchirapalli-620 001.

3.The Assistant Director of
Local Fund Accounts,
Government of Tamil Nadu,
Chennai.

4.The Branch Manager,
Pension Processing Centre,
State Bank of India,
112/4, Kalliamman Koil Street,
Virugambakkam,
Chennai-600 092.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first, second and third respondents to dispose off the petitioner's representations dated 01.08.2017, 24.10.2017, 08.01.2018, 28.02.2018, 06.06.2018 and 10.08.2018 with regard to issue of age certificate to enable to her draw enhanced family pension on merits and in accordance with law.

For Petitioner : Mr.Akbar Row

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

O R D E R

The petitioner has come up with this writ petition seeking a direction to the respondents to dispose of the petitioner's representations dated 01.08.2017, 24.10.2017, 08.01.2018, 28.02.2018, 06.06.2018 and 10.08.2018 with regard to issue of age certificate to enable her to draw enhanced family pension.

2. The learned counsel for the petitioner submits that as per the Government Order in G.O.No.42, Finance (Pension) Department, dated 07.02.2011, a person is entitled for getting additional pension of 20% on attaining the age of 80 years. The petitioner's claim is that she has completed the age of 80 years and therefore, on the basis of G.O.No.42, dated 07.02.2011, she is entitled to 20% of Additional Pension. The said Government Order prescribes the following list of documents to be submitted to prove the completion of age of 80 years:-

"The Pension Payment Order shall be the basic document for verifying the date of birth and the age of a Pensioner/Family Pensioner. In cases where Pension Payment Order is not available or the age and date of birth of the pensioner/Family Pensioner has not been indicated in the Pension Payment Order, those Pensioners/Family Pensioners on completion of 80 years and above shall submit any one of the following documents to the Pension disbursing Officer as proof of their date of birth/age.

- 1.PAN (Permanent Account Number) Card.
- 2.Secondary School Leaving Certificate (SSLC)
- 3.Passport
- 4.Driving License, if the date of birth is indicated therein.
- 5.Voters Identity Card issued by the Election Commission of India."

3. It is the claim of the petitioner that she has already submitted her Voter Identity Card to prove her age. Apart from the Voter Identity Card, she has also produced a certificate issued by the Medical Officer stating that the petitioner has completed 81 years of age.

4. It is seen from the Voter Identity Card that the date of birth of the petitioner has been mentioned as 18.09.1936. This implies that she has completed the age of 80 years. The production of Voter Identity Card is recorded in the proceedings issued by the second respondent.

5. Under these circumstances, the document sought for, to prove the age having already been submitted by the petitioner, there is no necessity to furnish any other document, to prove

the age and there is no requirement for furnishing of age certificate. Therefore, the concerned authorities are directed to consider the claim of the petitioner for receiving additional pension in the light of documents already submitted within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rli/gln

To

1. The Director of Local Fund Accounts,
Integrated Complex for Finance Department,
Government of Tamil Nadu,
Chennai-35.
2. The Regional Joint Director of
Local Fund Accounts,
Government of Tamil Nadu,
Tiruchirapalli-620 001.
3. The Assistant Director of
Local Fund Accounts,
Government of Tamil Nadu,
Chennai.

+1cc to Mr. Akbar Row, Advocate, S.R.No.81103
+1cc to the Government Pleader, S.R.No.81744

सत्यमेव जयते

W.P.No.31064 of 2018

rrs 27/12/2018

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