

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 28.06.2018**

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR**W.P.(MD)No.13776 of 2018**

M.Chinnakkalai

...Petitioner

Vs.

The Labour Officer,
(Social Security Scheme),
Labour Officer Office,
Tamil Nadu Housing Board Building,
Ellis Nagar, Madurai,
Madurai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to Issue a Writ of Mandamus, directing the respondent to disburse arrears of the petitioner's monthly pension under Tamil Nadu Manual Labourers (Construction Workers) Welfare Scheme 1994 from January 2014 to 31.07.2017.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader.**O R D E R**

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondent to disburse arrears of the petitioner's monthly pension under Tamil Nadu Manual Labourers (Construction Workers) Welfare Scheme 1994 from January 2014 to 31.07.2017.

2. Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondent.

3. The petitioner was a Manual Labourer (i.e.,) Building Construction Worker and had enrolled with the respondent office as Manual Labour on 25.09.1998. As per the Social Security Scheme implemented by the respondent, those who attain sixty years of age and who had registered as Manual Labour with the respondent office, would be entitled to get monthly pension.



4. In regard, the respondent has passed an order on 10.08.2017 stating that, from August 2017 onwards, the petitioner would be getting Rs.1,000/- (Rupees Thousand only) as monthly maintenance pension and the same would be credited in the Bank account of the petitioner.

5. In spite of the said order that had been passed by the respondent in the month of August 2017 itself, so far, the said amount of Rs.1000/-, as per the said communication, have not yet disbursed or credited in the Bank account of the petitioner. Therefore, in this regard, a representation has been given on 21.10.2017 to the respondent and the learned counsel appearing for the petitioner would submit that, if the said representation is directed to be considered and an order to that effect is directed to be passed within a time frame that may be fixed by this Court, the petitioner would be satisfied.

6. I have heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondent, who would submit that the said representation of the petitioner dated 21.10.2017 would be considered on merits and an order to that effect would be passed within a time frame that may be fixed by this Court.

7. Considering the said submissions made by both sides and taking into account the limited scope of the Writ petition, this Court is inclined to pass the following orders:

"that the respondent is directed to consider the representation of the petitioner dated 21.10.2017 on merits and to pass orders for the disbursement of monthly pension under the Scheme, as has already been permitted by the respondent to the petitioner, including the arrears of pension from the month of August 2017 within a period of six weeks from the date of receipt of a copy of this order."

With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS-IV)



To

The Labour Officer,
(Social Security Scheme),
Labour Officer Office,
Tamil Nadu Housing Board Building,
Ellis Nagar, Madurai,
Madurai District.

+1cc to Spl.Government Pleader Sr.No.70497

STS

VB/SKN/SAR4/26.10.2018/3P/3C

**Order made in
W.P. (MD) No.13776 of 2018
28.06.2018**