



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2018

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THE HONOURABLE MR. JUSTICE M.V.MURALIDARANW.P.(MD) No.11519 of 2018

K.Pappu

... Petitioner

-vs-

1. The Secretary,
Social Welfare and Nutritious Meal Department,
Secretariat, Fort St.George,
Chennai-09.

2. The District Collector,
Collectorate,
Madurai District-625 001.

3. The Revenue Divisional Officer,
Peraiyur Road, Usilampatti,
Madurai District.

4. The Special Tahsildar,
Social Welfare Scheme,
Pattalakundu Road,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd and 4th respondents herein to consider the petitioner's representation dated 24.03.2018 for granting old age pension for petitioner and to direct the respondents to continue an order passed by the 4th respondent in Na.Ka.No.2523/2010 C-2 and Account No.3485 for old age pension and to pay the arrear amount from 14.12.2012 to the till date in the name of the petitioner residing at Maalaipatti (Poochipatti), Nakkalpatti Post, Usilampatty Taluk, Madurai District.

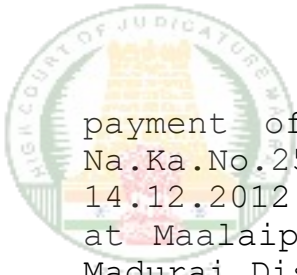
For Petitioner : Mr.K.Nagendra Prasad

For Respondents : Mr.C.Ramar

Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondents 3 & 4 herein to consider the petitioner's representation dated 24.03.2018 for granting old age pension to her, with the consequential direction to the respondents to continue



payment of pension as per the order of the 4th respondent in Na.Ka.No.2523/2010 C-2 and also to pay the arrears of pension from 14.12.2012 till date in the name of the petitioner, who is residing at Maalaipatti (Poochipatti), Nakkalpatti Post, Usilampatty Taluk, Madurai District.

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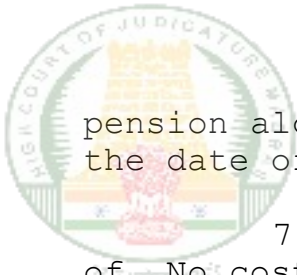
2. Mr.C.Ramar, learned Additional Government Pleader takes notice for the respondents. By consent on either side, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that she is aged about 75 years and her husband died long back. Since her only son did not take care of her and got settled in Kerala, she made an application to the 4th respondent in the year 2010 for grant of pension under the old age pension scheme, pursuant to which, she was granted Rs.1000/- per month towards pension and an Account No.3485 was also assigned for the said purpose, by the 4th respondent. It is the grievance of the petitioner that all of a sudden, the pension was stopped without any rhyme or reason from 14.12.2012 onwards and though she made a representation to the respondents on 24.03.2018 for payment of old age pension along with arrears, the said representation did not evoke any response so far. Contending that the inaction on the part of the respondents is highly intolerable, the petitioner is before this Court, seeking for the above direction.

4. The learned Additional Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the respondents 3 & 4, the representation of the petitioner dated 24.03.2018 will be considered and appropriate orders be passed thereon.

5. Admittedly, the petitioner was initially granted old age pension by the 4th respondent, by assigning a separate Account Number for the same and subsequently, she was left at lurch and let down by way of stoppage of pension without any reasons, which forced the petitioner to approach the respondents 3 & 4 by way of representation for continuation of her old age pension to eke out her livelihood. Since her mourning fell into a deaf ear and no action was taken on her representation, she was constrained to file the present petition. It is pertinent to state here that this Court has time and again held that once a representation is received, it is the bounden duty of the authorities concerned to consider and dispose of the same in one way or the other with due intimation and keeping it pending without any decision, is highly depreciable.

6. Considering the facts and circumstances of the case and also taking into account the pitiable condition of the petitioner, the respondents, more particularly, the respondents 3 & 4 are directed to consider the representation of the petitioner dated 24.03.2018 and pass necessary orders regarding payment of old age



pension along with arrears to her, within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (P&A)

Sub Assistant Registrar

To:

1. The Secretary to Government,
Social Welfare and Nutritious Meal Department,
Secretariat, Fort St.George,
Chennai-09.
2. The District Collector,
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Madurai District-625 001.
3. The Revenue Divisional Officer,
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Madurai District.

+1CC to Mr.K.Nagendra Prasad, Advocate in SR.No.66499.

+1CC Special Government Pleader in SR.No.66793.

AR

DS/SV/SAR-1 : 18.07.2018: 3P/7C

W.P.(MD) No.11519 of 2018
01.06.2018