

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3818 of 2019

and

WMP No.4241 of 2019

M.Pappathi Ammal

.. Petitioner

vs.

The Special Thasildhar,
Indira Gandhi National Old Age Pension Scheme,
Sriperumpudur Taluk,
Kanchipuram District.

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of mandamus to direct the respondent to pay arrears pension within a time limit that may be specified by this Court, directing the respondent to continue to pay the petitioner old age pension which has been receiving every month from the year 2007.

For Petitioner : Mr.S.Nambi Arooran

For Respondents : Mr.E.Balmurugan
Special Government Pleader

ORDER

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondent. By consent, the writ petition is taken up for disposal at the stage of admission itself.

2. This writ petition is filed for a mandamus to direct the respondent to pay arrears pension and also to continue to pay the petitioner old age pension from the year 2007.

3.Heard both sides.

4. There is no dispute to the fact that the petitioner is getting the old age pension under "Indira Gandhi National Old Age Pension Scheme" as per proceedings of the respondent dated 03.12.2007.

5.The grievance of the petitioner is that the said pension was stopped from August 2017 and hence, she made a

representation dated 06.12.2017 seeking for the said pension from August 2017 and the same has not been considered by the respondent so far.

6. Perusal of the proceedings of the respondent dated 03.12.2007 would show that the petitioner has been sanctioned with the payment of pension under the "Indira Gandhi National Old Age Pension Scheme". It is stated that the said pension was being paid to the petitioner till the month of July 2017 and thereafter, the same is not credited to her SB account. Needless to say that if the petitioner is getting such pension in pursuant to the sanction already made, the same cannot be stopped or withheld without any valid reason. Even though the petitioner made representation/requisition as early as on 06.12.2017 to continue such pension, it is seen that unfortunately, the respondent has not considered such request so far.

7. Considering the fact that the petitioner is 87 years old and that she has made such representation as early as on 06.12.2017, the respondent is directed to consider the claim of the petitioner for continuation of the pension from the month of August 2017 and pass appropriate orders within a period of four weeks, also by paying the arrears within such time, if there is no other legal impediment for continuing such pension. The writ petition is disposed of accordingly. No costs.

Post this writ petition for reporting compliance after four weeks.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vri
To

The Special Thasildhar,
Indira Gandhi National Old Age Pension Scheme,
Sriperumpudur Taluk,
Kanchipuram District.

+1cc to Mr.S.Nambi Arooran, Advocate, S.R.No.12369
+1cc to the Government Pleader, S.R.No.12295

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GP(CO)
CS/25/02/2019