

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2019

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.8482 of 2019

V.Lakshmi

...Petitioner

Vs.

1.The District Collector's
Collectorate Office
Singaravallar Building,
Rajaji Salai, Chennai-01.

2.The Special Tahsildar
Social Security Scheme
Madhavaram Taluk,
Chennai-600 060.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to continue to pay the Old Age Pension along with arrears and further directing the respondents to ensure to pay the monthly Old Age Pension till the life time of the petitioner, by considering her representation dated 05.12.2018 and pass necessary orders thereon, now pending before the 2nd respondent.

For Petitioner : Mr.R.Parthiban

For Respondents: Mr.S.N.Parthasarathy
Government Advocate

सत्यमेव जयते
O R D E R

Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents herein to continue to pay the Old Age Pension along with arrears and further directing the respondents to ensure to pay the monthly Old Age Pension till the life time of the petitioner, by considering her representation dated 05.12.2018 and pass necessary orders thereon, now pending before the 2nd respondent.

3. Heard both sides.

4. There is no dispute to the fact that the petitioner was ordered to get the old age pension as per the proceedings of the second respondent dated 02.07.2013.

5. The grievance of the petitioner is that the said pension was stopped from November 2016 and hence, she made a representation dated 05.12.2018 seeking for the said pension from November 2016 and the same has not been considered by the second respondent so far.

6. Perusal of the proceedings of the second respondent dated 02.07.2013 would show that the petitioner has been sanctioned with the payment of Old Age Pension. It is stated that the said pension was being paid to the petitioner till the month of October 2016 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 05.12.2018 to continue such pension, it is seen that unfortunately, the second respondent has not considered such request so far.

7. Considering the fact that the petitioner is 68 years old and that she has made such representation as early as on 05.12.2018, the second respondent is directed to consider the claim of the petitioner for continuation of the pension from the month of November 2016 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.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector's
Collectorate Office
Singaravallar Building,
Rajaji Salai,
Chennai-01.

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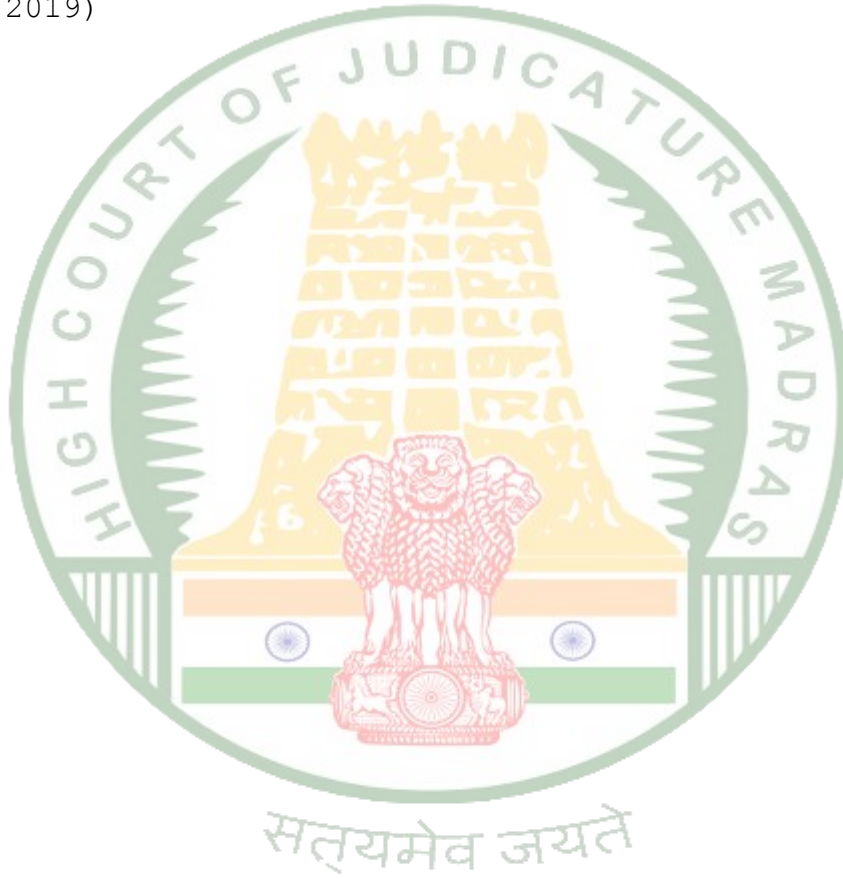
2.The Special Tahsildar
Social Security Scheme
Madhavaram Taluk,
Chennai-600 060.

+1cc to Mr.R.Parthiban, Advocate, S.R.No.27930
+1cc to the Government Pleader, S.R.No.28554

W.P.No.8482 of 2019

EV(CO)

RRS (30/04/2019)



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