

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.09.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.26630 of 2019

&

W.M.P.Nos.26011 & 26013 of 2019

Rajendran

...Petitioner

..Vs..

1.The Secretary

Tamil Nadu Construction
Workers Welfare Board 8,
Valluvarkottam High Road,
Nungambakkam, Chennai - 34.

2.The Assistant Commissioner of Labour,

Social Welfare Scheme, Collectorate Building,
Dharmapuri.

...Respondents

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the entire records of the second respondent in Na.Ka.No.425/2018 dated 27.06.2018 and quash the same.

For Petitioner : Ms.M.Premikha

For Respondents : Mr.M.Elumalai, G.A.

ORDER

The relief sought for in the present writ petition is to quash the order dated 27.06.2018 passed by the second respondent in rejecting the claim of the writ petitioner for grant of pension as per the scheme.

2.The reasons stated for rejection of claim of the writ petitioner in the impugned order is that the petitioner had not completed 60 years of age at the time of submission of the application. In this regard, the learned Government Advocate, appearing on behalf of the respondent, now made a submission that the Assistant Commissioner of Labour, Social Welfare Scheme, stated that the writ petitioner Mr.Rajendran is eligible

for pension and the Officer, who is present before this Court also made a submission that the writ petitioner Mr.Rajendran, is eligible for pension and his case may be considered and action will be taken to disburse the pension to the writ petitioner in accordance with the procedures contemplated.

3.In view of the submission, the impugned order passed by the second respondent in Na.Ka.No.425/2018 dated 27.06.2018 is quashed as far as the petitioner is concerned and consequently, the respondents are directed to settle the pensionary benefits to the writ petitioner within a period of six weeks from the date of receipt of copy of this Order.

4.Accordingly, the writ petition stands allowed. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary

Tamil Nadu Construction
Workers Welfare Board 8,
Valluvarkottam High Road,
Nungambakkam, Chennai - 34.

2.The Assistant Commissioner of Labour,

Social Welfare Scheme, Collectorate Building,
Dharmapuri.

+1cc to Mr.K.Nagarajan, Advocate Sr.84180

W.P.No.26630 of 2019

pvs[co]
srg 07/11/2019