



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P(MD).No. 14020 of 2019

WEB COPY

S. Rajamani

: Petitioner

Vs.

1.The Tamil Nadu Construction Workers Welfare Board,
Represented by its Secretary,
No.8, Nungambakkam, Chennai - 600 034.

2. The Labour Officer (Social Security Scheme),
TNHB - Ist Floor, Ellis Nagar,
Madurai - 625 016.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to sanction pension to the petitioner from the period August 2009 under the Tamil Nadu Manual Workers (Construction Workers) Welfare Scheme, 1994 based on the petitioner's representation, dated 27.05.2019.

For Petitioner

: Mr.Sathish Kumar

for M/s.S.P. Naveen Kumar

For Respondents

: Mr.Aayiram K. Selvakumar,

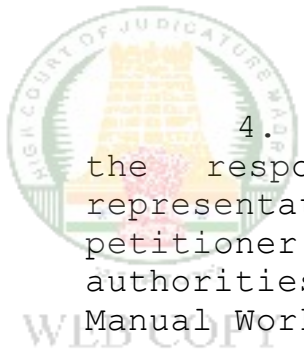
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking direction to the respondents to sanction pension to the petitioner from August 2009 under the Tamil Nadu Manual Workers (Construction Workers) Welfare Scheme, 1994, based on the petitioner's representation, dated 27.05.2019.

2. According to the petitioner, the writ petitioner made an application on 31.07.2018 to the 2nd respondent under Section 6 (I) of Right to Information Act, 2005, for which, he has received an information that the petitioner's application was rejected on the ground that the petitioner has completed service only for a period of 4 years 11 months and 2 days as a member of the Board.

3. The learned counsel for the petitioner would submit that subsequent to the information received, the petitioner has submitted the representation dated 27.05.2019 to the 2nd respondent giving explanation. Since no order has been passed on the same, the present writ petition is filed before this Court.



4. The learned Additional Government Pleader appearing for the respondents would submit that the writ petitioner's representation will be considered in accordance with law and the petitioner would produce the necessary documents before the authorities concerned for granting pension, under the Tamil Nadu Manual Workers (Construction Workers) Welfare scheme, 1994.

5. The learned counsel for the petitioner in response to the aforesaid submission of the learned Additional Government Pleader submitted that the writ petitioner will produce necessary documents before the authorities concerned, within a period of one week from the date of receipt of a copy of this order.

6. In view of the aforesaid submissions made on either side, this Court is inclined to pass the following order:

In the event of the writ petitioner submits all the necessary documents to the 2nd respondent within the aforesaid period, the representation of the petitioner dated 27.05.2019 shall be considered by the second respondent and orders be passed on merits and in accordance with law, within a period of six months thereafter, taking note of the explanation given by the petitioner in the said representation.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Tamil Nadu Construction Workers Welfare Board,
Represented by its Secretary,
No.8, Nungambakkam, Chennai - 600 034.
2. The Labour Officer (Social Security Scheme),
TNHB - Ist Floor, Ellis Nagar,
Madurai - 625 016.

+1cc to M/S., SPECIAL GOVERNMENT PLEADER, Sr.No. 71120
+1cc to M/S. S.P.NAVEEN KUMAR, Advocate, Sr.No.71046

WP (MD).No.14020 of 2019