



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.23207 of 2019

WEB COPY

P.Seenivasan

... Petitioner

-Vs-

1.The Principal Secretary to Government,
Youth Welfare and Sports Department,
Chennai.

2.The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A, Periyar EVR High Road,
Nehru Park, Chennai-600 084.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to pay the 56 months (December 2010 to August, 2015) arrears of pension to the petitioner by considering the petitioner's representation dated 23.09.2019, within a stipulated time in accordance with law.

For Petitioner : Mr.M.Prabhu
For Respondents : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

This Writ Petition is filed to direct the second respondent to pay 56 months (December 2010 to August, 2015) arrears of pension to the petitioner, by considering the petitioner's representation dated 23.09.2019, within a stipulated time in accordance with law.

2.According to the petitioner, he is a sports man, played the sports of weight lifting. He has participated various weight lifting tournaments. After retiring from effecting weight lifting, the petitioner has been struggling for his monthly income. As per G.O.Ms.No.33, dated 12.06.2008, the sports men, who are in indigent condition and attained the age of 58 years, are entitled for a pension of Rs.1000/- per month. Thereafter, the amount was increased to Rs.3000/- per month, by issuing G.O.Ms.No.42, dated 21.12.2011. Hence, the petitioner has made an application to the second respondent on 06.12.2010, seeking pension, but the same has not been considered. Hence, the petitioner has sent another representation dated 04.07.2014. The same has also not been considered. Hence, the petitioner has filed W.P.(MD)No.14233 of



2014, seeking to consider the representation, dated 04.07.2014, wherein this Court, by its order dated 28.08.2014, has directed the respondents to consider the representation of the petitioner, dated 04.07.2014, on merits and in accordance with law. Thereafter, the first respondent has issued G.O.Ms.No.62, dated 19.11.2015. As per the said Government Order, the petitioner is receiving monthly pension of Rs.3,000/- from August, 2015. As per G.O.Ms.No.42, the petitioner is entitled for pension from the date of his application ie., on 06.12.2010. But, the second respondent is paying pension to the petitioner only from August, 2015. There is an arrear of 56 months pension payable to the petitioner. Hence, the petitioner has sent various representations, lastly on 23.09.2019. However, the same has not been considered, so far. Hence, the petitioner has come out with the present Writ Petition. The learned counsel appearing for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to consider the representation of the petitioner dated 23.09.2019.

3.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4.Considering the nature of relief sought for in the Writ Petition and the submission of the learned counsel appearing for the petitioner, without deciding the case on merits, the second respondent is directed to consider the representation of the petitioner dated 23.09.2019 on merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

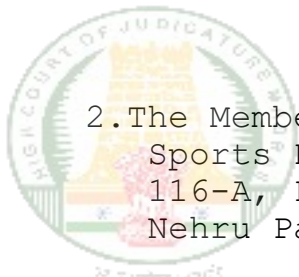
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Sub Assistant Registrar(CS)

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To

1.The Principal Secretary to Government,
Youth Welfare and Sports Department,
Chennai.



2.The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A, Periyar EVR High Road,
Nehru Park, Chennai-600 084.

+1 CC to Mr.M.PRABU, Advocate (SR-101628[F] dated 27/11/2019)
+1 CC to SPL GP (SR-101954[F] dated 27/11/2019)

W.P. (MD) No.23207 of 2019
26.11.2019

MK (31.12.2019) 3P 5C