



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.21952 of 2019 and
WMP.Nos.21204 and 21205 of 2019

R.Mathiyas

.. Petitioner

..Vs..

1. The Government of Tamil Nadu,
Rep. By its Secretary,
Tamil Development and Culture Department,
Fort. St. George,
Chennai - 9.
2. The Director,
Tamil Development and Culture Department,
1st Floor, Tamil Development Campus,
Tamil Salai, Egmore,
Chennai - 8.
3. The District Collector,
Kanyakumari District,
Nagarkoil.

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to G.O.Ms.No.14 of Tamil Development and Culture Department, dated 12.01.2018 and quash the same, particularly in so far as sanctioning the Tamil Scholar pension to the petitioner with effect from 26.07.2016 onwards instead of paying from the date of application i.e. 13.11.2002, consequently direct the respondent to pay the arrears of pension with effect from 13.11.2002 to 26.07.2016 and pay continuously.

For Petitioner : Mr.K.Sathish kumar

For Respondents : Mrs.P.Rajalakshmi,
Additional Government Pleader



O R D E R

The petitioner had applied for the Tamil scholar pension through a representation dated 13.11.2002 to the 2nd respondent namely the Director, Tamil Development and Culture Department, Egmore, Chennai.

2. High level committee conducted the meeting on 07.05.2007 in which the representation of the petitioner was rejected, since he did not produce the Jail certificate. Thereafter, the petitioner again applied for the very same relief, with the jail certificate along with the Jail certificate of the co prisoner by a representation dated 02.12.2015. Earlier, the petitioner has filed a writ petition in W.P.No.41139 of 2016, claiming pension from 13.11.2002.

3. This Court by an order dated 23.11.2016, had directed the respondent therein to consider the representation and pass appropriate orders. Thereafter, it was decided by the respondent and sanctioned pension from 27.07.2016 and a total sum of Rs.37,561/- was paid for the period from 27.07.2016 till 31.04.2017. It is stated that thereafter every month, the monthly pension was being paid to the petitioner.

4. In the present writ petition, he again seeks arrears to be paid from 13.11.2002 till 27.07.2016.

5. A counter had been filed in which it is stated that there is no need for seeking arrears and denying the claim of the petitioner.

6. However, it would only be interest of both the petitioner and the respondent, the respondent whom the representation was given on 12.01.2018, to conduct an enquiry by calling upon the petitioner and give an opportunity of being heard and thereafter pass a considered orders on merits. The respondent may examine in all relevant aspects and pass orders, on or before 31.03.2020.

7. With the above observation, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

vum



To

1. The Secretary,
The Government of Tamil Nadu,
Tamil Development and Culture Department,
Fort. St. George,
Chennai - 9.

2. The Director,
Tamil Development and Culture Department,
1st Floor, Tamil Development Campus,
Tamil Salai, Egmore,
Chennai - 8.

3. The District Collector,
Kanyakumari District,
Nagarkoil.

+1cc to Mr.K.Sathish kumar, Advocate SR.No.1250

+1cc to Government Pleader SR.No.1345

W.P.No.21952 of 2019 and
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NMI (CO)
GMY (21/01/2020)