



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

W.P. (MD) No.16215 of 2021

G.Lalitha

... Petitioner

Vs

The District Collector,
Office of District Collector,
Tirunelveli,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the Respondent to consider the petitioner's representation dated 05-07-2017, 26-07-2021, which is relating to the payment of pension Rs.3,000/- per month till the petitioner's life time with effect from 01-06-2008 as per the direction given by the learned II Additional District and Sessions judge, Tirunelveli dated 11-04-2016 in Sessions Case No.127 of 2008, within stipulated time may be fixed by this Court.

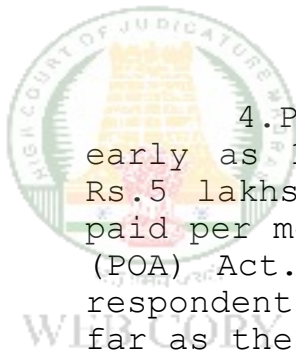
For Petitioner	:	Mr.S.Ayyanar Prem Kumar
For Respondent	:	Mr.R.Meenakshi Sundaram Additional Public Prosecutor

ORDER

This petition is filed seeking writ of mandamus, directing the respondent to consider the petitioner's representation dated 05-07-2017, 26-07-2021.

2.The case of the petitioner is that her husband, namely, Gunabalan was murdered on 16.05.2008 by the accused persons. A case in Crime No.65 of 2008 has been registered and thereafter, the case was tried in SC.No.127 of 2008 before the learned II Additional District and Sessions judge, Tirunelveli. By the judgment dated 11.04.2016, all the accused persons have been punished and apart from that, Rs.5 lakhs was awarded as compensation to the petitioner to be paid by the District Administration. It is further ordered that Rs.3,000/- must be paid per month to the petitioner till her life time with effect from 01.06.2008.

3.In compliance of the aforesaid order, Rs.5 lakhs was paid to the petitioner herein, but the pension amount has not been paid to her so far by the District Administration. So, she made representations on 05.07.2017 and 26.07.2021. However, there is no response. Hence, this petition.



4.Perusal of records shows that the order has been passed as early as 11.04.2016, directing the District Administration to pay Rs.5 lakhs as compensation to the petitioner and Rs.3,000/- to be paid per month till her life time as per the provisions of the SC/ST (POA) Act. However, there is no proper response from the official respondents. The representations also have not been considered so far as the payment of pension is concerned.

5.In view of the above, a direction is issued to the respondent herein to consider the representations made by this petitioner dated 05.07.2017 and 26.07.2021 and take necessary action in pursuance of the order dated 11.04.2016 passed in SC.No.127 of 2008 on the file of the learned II Additional District and Sessions judge, Tirunelveli, within a period of 2 months from the date of receipt of a copy of this order. After completing the process, compliance report must be submitted to the Registry.

6.With the aforesaid direction, this petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Office of District Collector,
Tirunelveli,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.AYYANAR PREM KUMAR, Advocate (SR-30237 Dt.24/09/2021)

W.P. (MD) No.16215 of 2021

23.09.2021

ES(CO)/RS (11.10.2021) 2P 5C

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