



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18906 of 2020

and

W.M.P(MD)No.15836 of 2020

WEB COPY

J.Anbalagan

represented by his father

S.Jeyaraj

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The District Differently Abled Welfare Officer,
Collectorate Complex,
Ramanathapuram District.

3.The Special Deputy Collector,
Social Security Scheme,
Collectorate,
Ramanathapuram District.

4.The Special Tahsildar,
R.S.Mangalam,
Ramanathapuram District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay disability pension to the petitioner's son namely Anbalagan with effect from 17.07.2014 and to continue to pay the same.

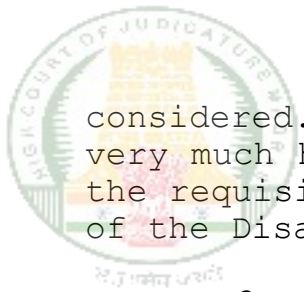
For Petitioner : Mr.V.Panner Selvam

For Respondents : Mrs.S.Srimathy,
Special Government Pleader

O R D E R

Heard the learned Counsel appearing on either side. The petitioner's son namely, J.Anbalagan, is a mentally challenged person and he is therefore, entitled to disability pension. When his father S.Jeyaraj, approached the respondents, his request was not considered. Therefore, the writ petition came to be filed.

2.When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents submitted that since the petitioner did not submit his Aadhaar Card and Ration Card, the request for disbursement of the pension could not be



considered. The petitioner's Counsel states that the petitioner is very much having Aadhaar Card and Ration card and he is also having the requisite certificate issued by the Department of Rehabilitation of the Disabled.

3. Since I am satisfied that the petitioner is entitled to disbursement of the said pension, the respondents are directed to disburse the disability pension payable to the petitioner's son. Now the question arises as to from when the pension has to be paid. The petitioner's counsel draws my attention to the fact that the petitioner had approached the respondents as early as in July 2014. The respondents have unnecessarily sat on the petitioner's application. In fact they should have done a filed enquiry and taken appropriate action. All that the respondents should verify is whether the said Anbalagan is eligible for being granted the said pension or not? The petitioner has been unnecessarily dragged in the matter and therefore, I direct the respondents to grant the disability pension to the petitioner's son with effect from 17.07.2014, which shall be done within a period of eight weeks from the date of receipt of a copy of this order and continue to pay the monthly disability pension and the bank accounts details of the petitioner's son shall be collected and remittance shall be done accordingly.

4. The writ petition is allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

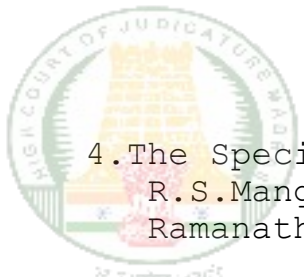
// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:-

1. The District Collector,
Ramanathapuram District.
2. The District Differently Abled Welfare Officer,
Collectorate Complex,
Ramanathapuram District.
3. The Special Deputy Collector,
Social Security Scheme,
Collectorate,
Ramanathapuram District.



4.The Special Tahsildar,
R.S.Mangalam,
Ramanathapuram District.

+1 CC to Mr.V.V.PANNER SELVAM, Advocate (SR-4074[F] dated
09/02/2021)

W.P (MD) No.18906 of 2020
08.02.2021

VB (12.02.2021) 3P 6C