



WEB COPY



W.P. No.33787 of 2022

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 16.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.33787 of 2022

S.Kuppusamy

..

Petitioner

VS

1. The Assistant Director
Office of the Deputy Director
Ex-Service Men Welfare
No:W48h+ FWC, Vasanthapuram, Kosapet
Vellore, Tamil Nadu - 632 001.
2. The Additional Director of Ex-Servicemen's Welfare
No.22, Rajamuthiyah Rd, Salai St
Choolai, Chennai - 600 003.
3. The Public (Election) Department/Home Department
Secretariate, Fort St. George
Chennai - 600 009.

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1-3 to consider the petitioner's representation dated 01.08.2022 for sanctioning the disability benefit pension for the period from the date of occurrence of accident, i.e., 13.04.2011 till 28.02.2022.



W.P. No.33787 of 2022

For Petitioner : Mr.G.Mutharasu
For Respondents : Ms.M.Jayanthy
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Ms.M.Jayanthy, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. The grievance of the petitioner is that he has not been paid the full disability pension by the respondents. He suffered disability during the course of his employment. The petitioner claims that he has been paid partially the disability pension, but the balance amount has not been paid. In such circumstances, he has given a representation on 01.08.2022 to the respondents 1 to 3 seeking for the balance pension payment. Since the said representation has not been considered till date, he has filed this writ petition.

4. Heard Mr.G.Mutharasu, learned counsel for the petitioner and Ms.M.Jayanthy, learned Additional Government Pleader appearing for the respondents.



W.P. No.33787 of 2022

WEB COPY

5. No prejudice would be caused to the respondents, if the petitioner's representation, as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 01.08.2022, seeking for sanction of the disability benefit pension from the date of occurrence of the accident i.e., from 13.04.2011 till 28.02.2022, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, the writ petition is disposed of. No costs.

16.12.2022

Index: Yes/No

Speaking order/Non-speaking order

drm/vsi2



WEB COPY



W.P. No.33787 of 2022

ABDUL QUDDHOSE,J.

(drm)

To

1. The Assistant Director
Office of the Deputy Director
Ex-Service Men Welfare
No:W48h+ FWC, Vasanthapuram, Kosapet
Vellore, Tamil Nadu - 632 001.
2. The Additional Director of Ex-Servicemen's Welfare
No.22, Rajamuthiyah Rd, Salai St
Choolai, Chennai - 600 003.
3. The Public (Election) Department/Home Department
Secretariat, Fort St. George
Chennai - 600 009.

W.P.No.33787 of 2022

16.12.2022