



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.1065 of 2022

Ayupkhan @ Karunanithi

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Tourism and Culture Department Secretariat,
Fort St. George,
Chennai-600 009.

2.The State of Tamil Nadu,
Rep. by its Secretary,
Tamil Development and Information Department,
Secretariat, Fort. St. George,
Chennai-600 009.

3.The Director,
Tamil Development Department,
Kuralagam, Chennai.

4.The District Collector,
Virudhunagar District,
Virudhunagar.

5.The Thasildar,
Taluk Office,
Sivakasi, Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide pension to the petitioner under "Tamil Nadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983" by considering the petitioner representation, dated 17.11.2021.

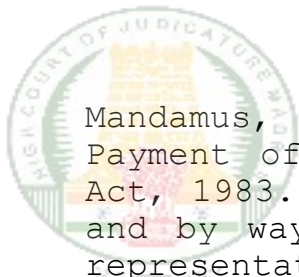
For Petitioner : Mr.R.Murugappan

For Respondents : Mr.S.Kameswaran
Government Advocate

O R D E R

Heard Mr.R.Murugappan, learned counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate, who had taken notice on behalf of all the respondents.

2.This writ petition has been filed in the nature of Writ of
<https://hcservices.ecourts.gov.in/hcservices/>



Mandamus, seeking pension to the petitioner under the Tamil Nadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983. The petitioner had given a representation on 17.11.2021 and by way of this writ petition seeks consideration on the said representation.

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3. In the affidavit filed in support of the writ petition, it had been stated that the petitioner had participated in several protests in furtherance to development of Tamil language and its Culture and in 1986, had also been remanded to judicial custody owing to participation in Anti-Hindi Agitation. The petitioner claims that he is eligible to be granted pension under the Tamil Nadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983. The petitioner had given a representation on 17.11.2021, a copy of which is enclosed as a document to this writ petition. This particular representation has been given to the third respondent/Director, Tamil Development Department, Kuralagam, Chennai.

4. However, it is stated by Mr.S.Kameswaran, learned Government Advocate, that the District Collector is the competent authority in the first instance, to examine the representation of the petitioner and thereafter, to forward the same to the first respondent. The petitioner had also given a representation to the District Collector, Virudhunagar on 17.11.2021.

5. A direction is issued to the District Collector, Virudhunagar to, in the first place, issue notice to the petitioner, examine the credentials of the petitioner and thereafter, forward the documents and the representation of the petitioner to the first respondent. The District Collector should discharge this particular application within a period of eight weeks from the date of receipt of a copy of this order and thereafter, on receipt of the relevant records from the District Collector, an obligation and direction is issued to the first respondent to pass necessary orders within a period of further six weeks from the date of receipt of the records.

6. With the above observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (A.D.I)

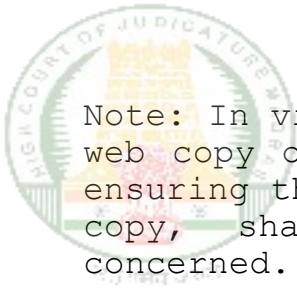
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/ /2022

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

- 1.The Principal Secretary,
State of Tamil Nadu,
Tourism and Culture Department Secretariat,
Fort St. George,
Chennai-600 009.
- 2.The Secretary,
State of Tamil Nadu,
Tamil Development and Information Department,
Secretariat, Fort. St. George,
Chennai-600 009.
- 3.The Director,
Tamil Development Department,
Kuralagam, Chennai.
- 4.The District Collector,
Virudhunagar District,
Virudhunagar.
- 5.The Thasildar,
Taluk Office,
Sivakasi, Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-2582[F] dated 27/01/2022)

W.P. (MD) No.1065 of 2022
25.01.2022

RD(21.02.2022) 3P 7C