



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.1751 of 2022

Mahamoorthy

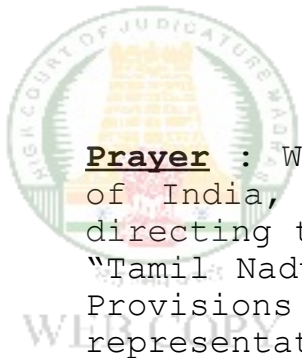
... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Tourism and Culture Department Secretariat,
Fort.St.George,
Chennai - 600 009.
- 2.The State of Tamil Nadu,
Represented 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 Tahsildar,
Taluk Office,
Thiruchuli,
Virudhunagar District.

... Respondents

(R-5 is suo motu amended vide court order dated 01.02.2022 in W.P. (MD) .No.1751 of 2022)



Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by 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's representation, dated 12.01.2022.

For Petitioner : Mr.R.Murugappan
For Respondents : Mr.S.Kameswaran,
Government Advocate.

ORDER

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

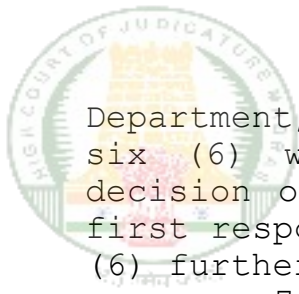
2. This Writ Petition has been filed in the nature of Mandamus seeking a direction against the respondents to provide pension to the petitioner under "Tamil Nadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983". The petitioner had given a representation on 12.01.2022.

3. In the affidavit filed in support of the Writ Petition, the petitioner had stated that he had done several activities for the development of Tamil language and its culture. He had also participated in several protests. He participated in Anti-Hindi agitation on 25.11.1986 and was arrested and remanded to the judicial custody and had also spend more than 50 days in prison.

4. Now, the petitioner claims benefit of provision of scholarship/pension to Tamil scholars which is provided under Tamil Nadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983. For seeking such benefit, he had given a representation on 12.01.2022.

5. It is informed by Mr.S.Kameswaran, learned Government Advocate that the said representation had been examined by the fifth respondent/the Tahsildar. It must be straight away mentioned that though in the cause title it had been mentioned as the Tahsildar, Taluk Office, Sivakasi, Virudhunagar District, the actual Tahsildar who had examined the representation of the petitioner is the Tahsildar, Taluk Office, Thiruchuli, Virudhunagar District. The said Tahsildar had forwarded a report on 20.01.2022 to the fourth respondent/ the District Collector, Virudhunagar District.

6. An obligation is placed on the fourth respondent/the District Collector to examine the report of the Tahsildar and also the representation given by the petitioner and if required, seek clarifications and thereafter forward the entire records to the first respondent/ the Principal Secretary, Tourism and Culture



Department, Secretariat, Fort St.George, Chennai within a period of six (6) weeks from the date on which he had finally taken a decision over the credentials of the petitioner and thereafter the first respondent should pass necessary orders within a period of six (6) further weeks.

7. The Registry may correct the description of the fifth respondent from the Tahsildar, Taluk Office, Sivakasi, Virudhunagar District to the Tahsildar, Taluk Office, Thiruchuli, Virudhunagar District and then issue order copy.

8. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

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.

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,



5.The Tahsildar,
Taluk Office,
Thiruchuli,
Virudhunagar District.

WEB COPY

+1 CC to M/s.SPL.GP (SR-3714[F] dated 02/02/2022)

W.P. (MD) .No.1751 of 2022
01.02.2022

MGJ(21.02.2022) 4P 7C