



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6754 of 2022

Muthupandian @ Muthupandi

... Petitioner

Vs.

1.The State of Tamilnadu,
Represented by it's Principal Secretary,
Tourism and Culture Department Secretariat,
Fort St.George,
Chennai - 600 009.

2.The State of Tamilnadu,
Represented by it's 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,
Sivakasi,
Virudhunagar District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide pension to the petitioner under "Tamilnadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983" by considering the petitioner's representation dated 17.11.2021.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.B.Saravanan,
Additional Government Pleader.



ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to provide pension to the petitioner under the Tamilnadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983 based on the petitioner's representation dated 17.11.2021 within a time frame to be fixed by this Court.

2. According to the petitioner, he is a tamil scholar and he participated in various anti-hindi agitations and was earlier remanded to judicial custody and he had spent fifty days in prison. According to him, under the Tamilnadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983, as a tamil scholar, he is entitled for pension. He has given a representation on 17.11.2021 for the said purpose to the official respondents. Since the said representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.R.Murugappan, learned counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents, if the petitioner's representation seeking for pension under the Tamilnadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983, is considered on merits and in accordance with law within a time frame to be fixed by this Court. The petitioner has filed documents along with the Writ Petition to substantiate his case. It is for the respondents to consider the same on merits and in accordance with law.

5. For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation dated 17.11.2021 seeking for pension under the Tamilnadu Payment of Pension to Tamil Scholars and Miscellaneous Provisions Act, 1983 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, 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)

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To

1.The Principal Secretary,
The State of Tamilnadu,
Tourism and Culture Department Secretariat,
Fort St.George,
Chennai - 600 009.

2.The Secretary,
The State of Tamilnadu,
Tamil Development and Information Department,
Secretariat,
Fort St.George,
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3.The Director,
Tamil Development Department,
Kuralagam,
Chennai.

4.The District Collector,
Virudhunagar District,
Virudhunagar.

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

+1 CC to M/s.R. MURUGAPPAN, Advocate (SR-18432[F] dated
13/04/2022)

+1 CC to M/s.SPL.GP. (SR-18575[F] dated 13/04/2022)

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MGJ(27.04.2022) 3P 8C