



W.P.No.13933 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 13933 of 2023

K.Saravanan

... Petitioner

Vs.

1. The District Collector
O/o the District collectorate,
Namakkal District.
2. The Revenue Divisional officer
O/o The Revenue Divisional office,
Namakkal District.
3. The Revenue Tahsildar
o/o the revenue Tahsildar office,
Senthamanagalam Taluk,
Namakkal District.
4. The Special Tahsildar
(Social security scheme)
O/o the Revenue Tahsildar office,
Senthamangalam Taluk
Namakkal District.
5. The Village Administrative officer,
O/o the village administrative office,
Thirumalaipatti and Post,
Senthamangalam Taluk,
Namakkal District.



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6. The Assistant village administrative officer,
O/o the village Administrative officer,
Thirumalaipatti and Post,
Senthamangalam Taluk,
Namakkal District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus direct the 3rd respondent to consider the petitioners representation on 27.03.2023 and 29.03.2023 and consequently this Honble Court may be to fix the stipulated time.

For Petitioner : Mr.G.Munuraj

For Respondents : Mr.E.Veda Bagathsingh, SGP

ORDER

Mr. E.Veda Bagathsingh, learned Special Government Pleader, takes notice for the respondents. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. The Writ Petition has been filed seeking a direction to the 3rd respondent to consider the petitioners representation on 27.03.2023 and 29.03.2023 and consequently this Honble Court may be to fix the stipulated time.

3. It is the case of the petitioner that he is godparent of one



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Ramasamy, aged about 65 years. The said Ramasamy's son is working in Nepal as Labour. Such being the position, the 4th respondent has issued pension of Rs.1000/- per month under the disabled person pension scheme to the said Ramasamy. On 28.03.2023, the 4th respondent has issued notice to the petitioner stating that they received a complaint against the said Ramasamy for ineligible for disability pension and requested to submit the explanation within seven days as the said Ramasamy is not eligible for getting disability pension. The petitioner made a representation on 27.03.2023 and 29.03.2023 asked to furnish a copy of the said false complaint. Till date, the 4th respondent has not furnished the same. Hence, the present writ petition.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the 4th respondent to consider the petitioner's representation and to furnish a copy of the complaint within the stipulated time as fixed by this Court.

5. The learned Special Government Pleader submitted that as directed by the District Collector, the respondents has conducted a



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meeting for disability redressal on 24.03.2023 in order to ascertain whether the pensioners are eligible to get pension from the Government.

However, the said Ramasamy has not appeared and therefore, the 4th respondent has rightly issued notice to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Government Counsel appearing on behalf of the respondents and perused the materials available on record.

7. In such view of the matter, this Court cannot be issued a positive direction as sought for by the petitioner. However, this Court permits the said Ramasamy to appear before the Medical Officer to prove his disability for getting disability pension within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition stands disposed of. No costs.

28.04.2023

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