



W.P(MD)No.7151 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.7151 of 2016

K.Erulappan

... Petitioner

Vs

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Special Tahsildar,
Social Welfare Scheme,
Manamadurai,
Sivagangai Taluk,
Sivagangai.

...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 monthly pension of Rs.1000/- to the petitioner under the Indra Gandhi National Old Age relief scheme.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.A.Kannan

Additional Government Pleader



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ORDER

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The petitioner was provided a monthly pension of Rs.1000/- under the Indira Gandhi National Old Age Pension Scheme by order dated 09.06.2011. Thereafter, the pension was stopped for two years. Hence, the petitioner has submitted a representation to the respondents on 11.04.2016 seeking monthly pension of Rs.1000/- under the Scheme. Since no action has been taken by the respondents, the petitioner has filed this writ petition in the year 2016 for a Mandamus, directing the respondents to provide monthly pension of Rs.1000/- to the petitioner under the Indira Gandhi National Old Age Pension Scheme.

2.The learned Additional Government Pleader appearing for the respondent submits that on the directions of the District Collector, the Special Tahsildar, Social Welfare Scheme, Thiruppuvanam has conducted an investigation with regard to the beneficiaries of the Scheme in Thiruppuvanam Taluk and found that this petitioner is working as a coolie having an income and apart



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from that, his fifth son is working in Fire Service Department, Chennai. More over, he is not a destitute from his family. The investigation further reveals that the petitioner was also provided with a Green house in 476/7 to an extent of 0.00.92 sq.mtrs to the value of Rs.2,00,000/-in Melachorikulam Village. Therefore, the petitioner is not entitled for pension under the scheme. Based on this investigation report, the order of grant of monthly pension to this petitioner was cancelled on 28.08.2014 by the proceedings of the Revenue Divisional Officer, Sivagangai in Na.Ka.N1/149/2014, dated 28.08.2014. According to the learned Additional Government Pleader, the petitioner without challenging the said order of cancellation has filed this writ petition for a Mandamus in the year 2016 sought for a direction to the respondents to provide monthly pension of Rs.1000/- under the Scheme.

3.Recording the submission made by the learned Additional Government Pleader that an order has already been passed on 28.08.2014, cancelling the old age pension provided to



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this petitioner vide proceedings in Na.Ka.No.A14/2968/2011-19 dated 09.06.2011, this writ petition is dismissed with a liberty to the petitioner to challenge the order in Na.Ka.N1/149/2014, dated 28.08.2014 in the manner known to law. No costs.

05.10.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Special Tahsildar,
Social Welfare Scheme,
Manamadurai,
Sivagangai Taluk,
Sivagangai.



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B.PUGALENDHI, J.

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Order made in
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