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W.P.No. 2870 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No. 2870 of 2024

Gopal P.N.

... Petitioner

Vs.

1.Chairperson,
Chennai Port Authority,
Chennai – 600 001.

2.FA & CAO,
Chennai Port Trust,
Now named as Chennai Port Authority,
No.1, Rajaji Salai, Chennai – 600 001.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to dispose the first petitioner's representation dated 21.12.2023 respectively to the first and second respondent seeking to pay arrears in Dearness Relief for the difference in pension paid from March 1997 to December 2023.

For Petitioner : Ms. S. Vennila

ORDER

Heard the learned counsel for the petitioner and perused the materials available on record.



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2. The case of the petitioner is that he worked as Assistant Executive Engineer in Chennai Port Trust since May 1961 and retired on 28.02.1997 upon attaining the age of superannuation. However, the first respondent has not paid the amount of arrears for Dearness Relief for difference in the pension from March 1997 to June 2022. The first respondent also failed to pay the additional arrears of Rs.2,492/- per month which was due from 01.07.2022 to till date. To that effect, the petitioner has sent a representation on 12th and 18th of July 2022 requesting the respondent to pay the Dearness Relief for the difference in pension paid. The petitioner received a reply on 10.01.2023 from the respondent stating that due to bunching increment twice during June 2010 and December 2010 and subsequent arrears paid accordingly. Hence the action taken by the pension section in stopping the PP(Drop in Pension) is in order. The petitioner met the respondent number of times but there is no any positive action on their part. Finally the petitioner sent a representation on 21.12.2023 to the first respondent requesting to clear the outstanding dues of arrears, however there is no response. Under these circumstances, the petitioner is constrained to file this writ petition.

3. Learned counsel for the petitioner submits that the petitioner is aged 85 years-old senior citizen, he depends on the pension amount for the day to day



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expenses and as such, the action of the respondents is causing the petitioner huge mental agony and financial constraints.

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4. Upon hearing the learned counsel for the petitioner and on careful consideration of the materials available on record, it appears that the main relief sought in this writ petition is with regard to the disposal of the representation dated 21.12.2023 submitted by the petitioner to the first respondent. In my view, this writ petition can be disposed of without going into merits of the case at this stage, with a direction to the first respondent to dispose of the representation dated 21.12.2023 within the stipulated time in accordance with law. As this order would not prejudice the respondents, notice to the respondents is dispensed with and this writ petition is disposed of at the stage of admission.

5. For the above reasons, this Writ Petition is disposed of with a direction to the first respondent to consider and pass appropriate orders on the representation dated 21.12.2023 submitted by the petitioner to the first respondent in accordance with law, within a period of four weeks from today. No costs.

09.02.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

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BATTU DEVANAND, J.

AT

To

1.The Chairperson,
Chennai Port Authority,
Chennai – 600 001.

2.FA & CAO,
Chennai Port Trust,
Now named as Chennai Port Authority,
No.1, Rajaji Salai, Chennai – 600 001.

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