



W.P(MD)No.14278 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.14278 of 2017

and

W.M.P.(MD)Nos.11182 & 11183 of 2017

N.Lakshmi

... Petitioner

Vs.

The Labour Officer,
Social Security Scheme,
Labour Office, Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order in Na.Ka.No.72/10, dated 10.04.2017 passed by the respondent, quash the same and consequently, to direct the respondent to grant arrears of pension to the petitioner from 01.04.2010 onwards within stipulated time fixed by this Court.

For Petitioner : No Appearance

For Respondent : Mr.P.Thambidurai,

Government Advocate



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ORDER

According to the petitioner, she is a registered manual worker and had been renewing her registration periodically. She attained the age of 60 years on 01.04.2010 and therefore, she become eligible for pension as per the provisions under Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 and the scheme formulated under the Act, namely, Manual Workers Social Security and Welfare Scheme, 2006. Therefore, she made an application dated 29.04.2010, seeking pension before the respondent. The respondent, vide order dated 10.04.2017, ordered pension only from the month of April, 2017. Pursuant to which, she has been receiving pension from the month of April, 2017. It is the grievance of the petitioner that though she attained the age of 60 years on 01.04.2010 and on that date onwards, she is entitled for pension, the respondent ordered pension only from the year 2017. Hence, challenging the order of the respondent dated 10.04.2017, the petitioner has filed this Writ Petition.

2. There is no representation for the petitioner.

3. The learned Government Advocate appearing for the respondent would submit that if the petitioner submits any representation seeking arrears of



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pension, the same would be considered on its own merits and appropriate orders would be passed within a period that may be stipulated by this Court.

4.It is not in dispute that the petitioner is entitled for pension and she attained the age of 60 years on 01.04.2010. Therefore, she is entitled for pension from 01.04.2010. However, the pension was granted only from 01.04.2017. From 01.04.2010 to 31.03.2017, no pension was granted to the petitioner. Therefore, the petitioner is directed to submit a representation with regard to the arrears of pension from 01.04.2010 to 31.03.2017 to the respondent. On receipt of such representation, the respondent is directed to consider the same and pass appropriate orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of the representation.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

06.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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KRISHNAN RAMASAMY, J

Yuva

To

The Labour Officer,
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