



W.P(MD)No.22002 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22002 of 2019

D.Parthipan

... Petitioner

Vs

1.The Secretary,
Tamilnadu Manual Workers Welfare Board,
G-133, Tamilnadu Housing Board,
Chinthamani,
Super Market Complex 2nd Floor,
Anna Nagar East, Chennai-102.

2.The Labour Officer,
(Social Security Scheme),
Samad School St, Kaja Malai,
Mannarpuram, Trichy.

...Respondents

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 records of the 2nd respondent in pension order No.01820/2015 dated 18.01.2018 and quash the same and consequently direct the respondent No.2 to grant the petitioner pension from June 2014 onwards under the scheme of Tamilnadu Manual Labour Board, regularly except March and July 2018.



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For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader

ORDER

The petitioner was engaged as a Labourer in a Private Lath Welding Shop at Trichy from the year 1955 to 2015. The Government of Tamil Nadu, in order to provide monetary support to the manual labourers have established "Tamil Nadu Manual Workers Social Security and Welfare Scheme" and also constituted a Board, namely "The Tamil Nadu Manual Welfare Board". The manual labourers are enrolled as its members with a prescribed fee and also issued with an Identity Card. The petitioner claims that he has been enrolled as a member of this Board by paying a sum of Rs.100/- on 11.01.2001 and he was also issued with an Identity Card on 29.01.2007 with a photo, bearing Registration number 17ENGR2048. The date of birth of the petitioner has been recorded as 23.05.1954. The petitioner claims that he has also renewed this membership periodically. He completed the age of 60 years on 23.05.2014, however, he was not provided with the pension as 1 per the Scheme. Therefore, this petitioner has filed an application before



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the Labour Officer(Social Security Scheme)/the second respondent on 13.10.2025. The second respondent has called for a report from the Special Tahsildar, Trichy, seeking No Objection Certificate, by his communication in Na.Ka.No.261/2015, dated 25.11.2015. The Special Tahsildar has issued No Objection Certificate on 06.11.2017. Thereafter, he was directed to appear in person on 18.01.2018 and on verification, the second respondent has sanctioned the pension of Rs.1,000/- to him, as eligible under the Tamil Nadu Manual Welfare Board scheme, with effect from 18.01.2018. Since the pension amount has not been sanctioned from the date of his attaining the age of 60, the petitioner has filed this writ petition seeking pension from June 2014.

2.The learned counsel appearing for the petitioner submits that the scheme is to provide a sum of Rs.1,000/- as pension for the manual workers, like petitioner, who served in private establishments. The petitioner was enrolled as a member in the Tamil Nadu Manual Welfare Board and he was also issued with an Identity Card. According to the learned counsel, even as per the Identity Card



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issued by the Board, the date of birth of this petitioner is 23.05.1954 and therefore, he has attained the age of superannuation on 23.05.2014. Accordingly, he is eligible for pension of Rs.1,000/- from the month of June 2014, however, the second respondent has granted the relief only from the month of January 2018. Therefore, a suitable direction may be issued to the authorities for sanction of pension from June 2014.

3.The learned Special Government Pleader appearing for the respondents submits that the pension amount is eligible only after verification as to whether the members of the Board are receiving any other similar monetary benefits from the Government. Here, in the present case, No Objection Certificate has been issued by the authority only on 18.01.2018 and therefore, the petitioner is entitled for pension with effect from the date of order of the second respondent. According to him, the second respondent is expected to verify from the Tahsildar and then take a decision on the eligibility of pension.



4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The Government of Tamil Nadu has framed a Scheme for the welfare of the manual workers in the year 2006, in the name of Tamil Nadu Manual Workers Social Security and Welfare Scheme. Clause 18 of the Scheme provides pension for the manual workers and the same is extracted as under:-

18. Pension Scheme.-

(1) Eligibility – Every registered manual worker who has completed 60 years of age is eligible for pension, [if he has continued as such worker for a continuous period of not less than five years.] Provided that a manual worker who has not completed 60 years of age but registered with the Board 4[for a continuous period of five years] is also eligible for pension if he has become disabled due to sickness and incapacitated from normal work.

6. Admittedly, this petitioner was registered as a manual worker under the above Scheme and he was also issued with an Identity Card. The date of birth in the Identity Card is mentioned as 23.05.1954 and therefore, this petitioner has reached the age of 60 on 23.05.2014. Since the petitioner/Labourer is eligible for pension



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on completion of 60 years as per the above Scheme and the pension amount has been sanctioned only with effect from the month of January 2018, this Court directs the second respondent to pay the eligible pension to the petitioner, as per the Scheme from the date he attained the age of 60 years along with the arrears of pension from the year 2014, within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

16.09.2025

NCC: Yes/No
Index: Yes
vrn



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B.PUGALENDHI, J.

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