

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.13607 of 2015

E.Shahul Hammed

.. Petitioner

vs

1.The Deputy Secretary
Public (Political Pension III) Department
Fort St. George, Chennai

2.The District Collector
Chennai District, Chennai

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to grant freedom fighter pension payable by the State Government within the stipulated time pursuant to the representation dated 12.2.2015, given by the petitioner to the respondents.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.R.A.S.Senthilvel
Additional Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims to be a Burma Repatriate and during his stay in Burma, participated in the freedom struggle by joining hands with Netaji Subash Chandra Bose in Indian National Army as I.L.L. Cadre. The petitioner would further claim that he was arrested by the then British Government and was incarcerated in Central Prison, Rangoon, between May and December, 1945, and after his release from prison, came to India and settled down in Chennai.

3.The petitioner would state that he has applied to the respondents for grant of freedom fighter pension and though it was acknowledged, he has not been favoured with any kind of response and hence, came forward to file this writ petition.

4.The learned Counsel appearing for the petitioner, would submit that the petitioner is aged about 92 years and taking into consideration the same and his participation in the freedom struggle, this Court may pass appropriate orders.

5.The Court heard the submissions of Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepted notice for the respondents, also.

6.Though the petitioner prayed for a larger relief, this Court is of the view that it would suffice to direct the first respondent to consider and dispose of the petitioner's representation within a stipulated time.

7.In the result, the writ petition is disposed of and the first respondent is directed to consider and dispose of the petitioner's representation dated 12.2.2015, in accordance with law, after giving an opportunity of personal hearing to the representative of the petitioner, and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

- 1.The Deputy Secretary
Public (Political Pension III) Department
Fort St. George, Chennai
- 2.The District Collector
Chennai District, Chennai

1 cc to Mr. T.Muruganantham, Advocate, SR.No.24455

1 cc to Government Pleader, Sr.No24709

W.P.No.13607 of 2015

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