

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.14046 of 2015

Seetha

.. Petitioner

vs

1.The Deputy Secretary
Public (Political Pension III)
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 respondents to grant the dependent freedom fighter pension payable by the State Government on the death of the petitioner's husband Subbiah within the stipulated time, pursuant to the representation dated 13.3.2015, given to the respondents.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mrs.P.Rajalakshmi
Government Advocate

ORDER

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

2.The petitioner is aged about 75 years, and she claims that her husband, who was a Burma Repatriate, participated in the freedom struggle by joining hands with Netaji Subash Chandra Bose in Indian National Army as ILL Cadre. According to the petitioner, her husband was arrested by the police during British Regime and was confined in Central Prison, Rangoon between May, 1945 and December, 1945, and thereafter, he was released from prison and left Burma and ultimately migrated to India and settled down at Chennai. The husband of the petitioner applied for freedom fighters' pension on 16.11.1981, and despite his repeated endeavour, it did not fructify and he died on 26.9.1984. According to the petitioner, she once again, sent a representation dated 13.3.2015, to the first respondent praying for freedom fighters' pension and though it was acknowledged, she has not been favoured with any response and hence, came forward to file this writ petition.

3. Heard the submissions of the learned Counsel appearing for the petitioner, and Mrs.P.Rajalakshmi, learned Government Advocate, who accepted notice for the respondents.

4.A perusal of the typed-set of documents would disclose that the Office of the second respondent had sent a communication in Na.Ka.No.E3/016168/2012 dated 11.6.2012, to the Tahsildar, Purasaiwalkam-Perambur Taluk, Chennai 11, to submit a report on the representation dated 14.5.2012, given by the petitioner.

5.Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances, directs the first respondent to consider and dispose of the petitioner's representation dated 13.3.2015, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The Tahsildar, Purasaiwalkam-Perambur Taluk, Chennai 11, is also directed to send a report to the second respondent in terms of the above said communication, forthwith. 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)
Fort St. George, Chennai
- 2.The District Collector
Chennai District, Chennai

Copy to: The Tahsildar
Purasaiwalkam-Perambur Taluk
Chennai 11.

+1cc to Mr.T. Muruganathan, Advocate, S.R.No.25811

+1cc to the Government Pleader, S.R.No.25786

CNR(CO)
EU(16/06/2015)

W.P.No.14046 of 2015