

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.20634 of 2015

Seeni Margina

.. Petitioner

vs

1.The Additional Secretary
to Government of Tamil Nadu
Public (Political Pension II)
Fort St. George, Chennai-09

2.The District Collector
Chennai District, Chennai

3.The Tahsildar
Saidapet, Chennai 600 015

.. 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 issue dependent freedom fighter pension to the petitioner payable on the death of her father Fakir Mohideen pursuant to the representation dated 19.6.2015 given to the respondents.

For Petitioner : Mr.T.Muruganantham

For Respondents : Mr.Rm.Muthukumar
Government Advocate

सत्यमेव जयते
ORDER

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

2.The petitioner would state that her husband deserted her and her children and they were living under the care and custody of her father viz. Fakir Mohideen, who is a freedom fighter, and he died on 4.1.2007, and after his demise, the petitioner's mother as the legal heir, was receiving the dependent pension. The petitioner would further state that on 21.4.2015, her mother has also passed away and she has submitted a representation dated 19.6.2015, praying for continuance of the payment of dependent pension and since she has not been favoured with any response, came forward to file this writ petition.

3. Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.Rm.Muthukumar, learned Government Advocate, who accepted notice on behalf of the respondents and on instructions,

would submit that the petitioner has to approach the second respondent with the following documents:-

- a. Applications in the prescribed format along with family details.
- b. Pension order issued to her father with respect of State Freedom Fighter Pension.
- c. Legal Heir Certificate.
- d. Death Certificates of her parents.
- e. No Objection Certificate issued by her brothers and sisters.
- f. Self attested full size photograph.
- g. Physically challenged certificate issued by Medical Officer from district head quarters Government Hospital.
- h. Records relating to existing pension if any received by the applicant.

4.It is the further submission of the learned Government Advocate that the second respondent on receipt of the same, has to forward a detailed report to the Government, and the Government after considering all the records and also taking into consideration the facts, have to be pass orders in this regard.

5.This Court, in the light of the above facts and circumstances, permits the petitioner to submit a reminder along with the above said documents, to the second respondent within a period of two weeks from the date of receipt of a copy of this order and the second respondent, on receipt of the same, is directed to consider it and pass appropriate orders in accordance with law, within a period of six weeks thereafter, and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

//True copy//

सत्यमेव जयते

Sub Assistant Registrar

To:

1.The Additional Secretary
to Government of Tamil Nadu
Public (Political Pension II)
Fort St. George, Chennai 09.

2.The District Collector
Chennai District, Chennai

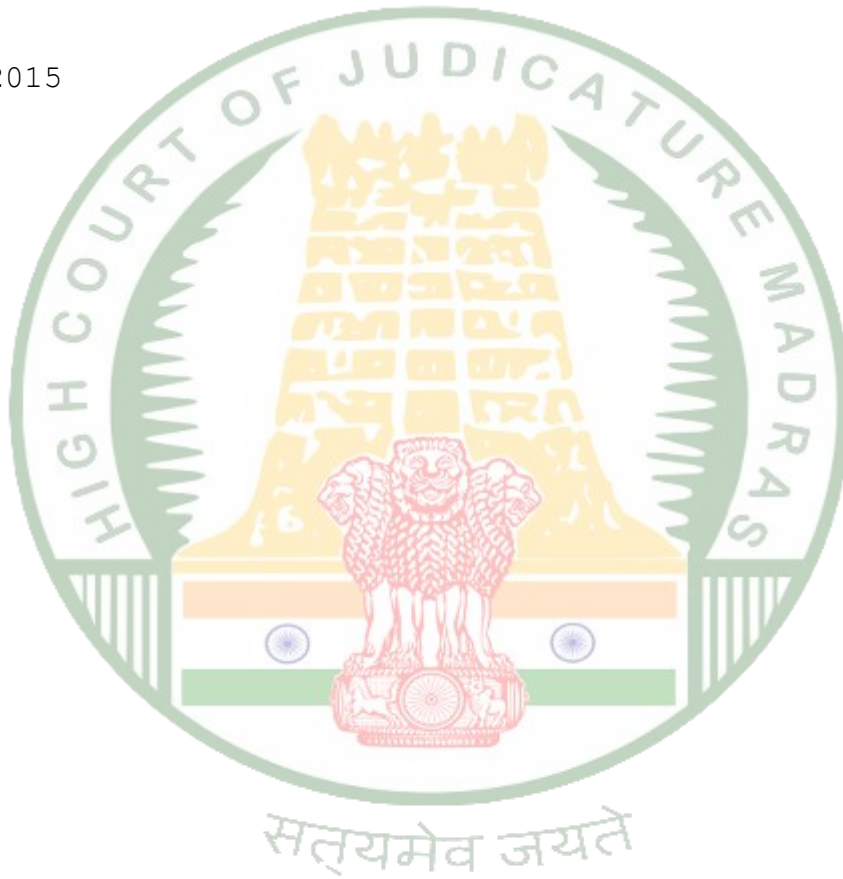
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3.The Tahsildar
Saidapet, Chennai 600 015

+ 1 cc to T.Muruganantham, Advocate (SR.38287)
+1 cc to lthe Government Pleader (SR.38422)

W.P.No.20634 of 2015

RJ(co)
cp 07.08.2015



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