



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.16191 of 2015

K.Rajeswari

...Petitioner

Vs.

The District Collector,
Pudukkottai,
Pudukkottai District.

...Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to disburse the petitioner's Freedom Fighter Pension calculating from 11.02.2014, the date of petitioner's husband's death.

For petitioner : Mr.P.Subbaraj
For Respondents : Mr.S.Kumar,
Additional Government Pleader

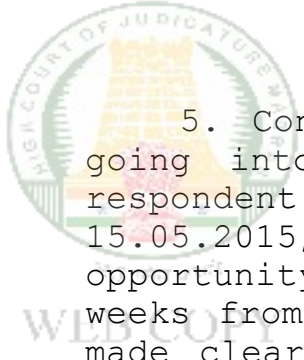
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to disburse the petitioner's Freedom Fighter Pension from the date of death of the petitioner's husband (I.e) from 11.02.2014.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondent.

3. By consent, this Writ Petition itself is taken up final disposal.

4.It is averred in the petition filed in support of the Writ Petition that the petitioner's husband was a freedom fighter and he received freedom fighter pension from 16.08.1969. He died on 11.02.2014, leaving the petitioner as his legal heir. After the demise of her husband, the petitioner is struggling for her livelihood. Therefore, the petitioner submitted an application before the respondent along with all relevant documents to grant freedom fighter pension. Since there was no action, the petitioner sent a representation on 25.03.2015 and again on 15.05.2015. Thereafter, the respondent sent a letter to the petitioner stating that the application of the petitioner is under process. But, till date freedom fighter pension is not given to the respondent. Hence, the petitioner has come forward with the Writ Petition for the above stated relief.



5. Considering the submissions made on either side, without going into the merits of the matter, this Court directs the respondent to consider the representation of the petitioner dated 15.05.2015, on merits and in accordance with law, by affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar(PER.ADMIN)

/True Copy/

Sub Assistant Registrar

pm
To

The District Collector,
Pudukkottai, Pudukkottai District.

+1cc to Mr.P.SUBBARAJ, Advocate in SR.No 52321

+1cc to Special Government Pleader

Madurai Bench of Madras High Court, Madurai in SR.No. 52417
JAM/JGB-DP/21.9.15/2P-4C

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