

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.18772 of 2006

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ORDER :

This Writ Petition is filed seeking to issue a writ of *Mandamus* to declare the inaction of the respondent in considering the application of the petitioners for grant of pension under Swatantrata Sainik Samman Pension Scheme, 1980, as illegal and arbitrary and consequently direct the respondent to consider the applications of petitioners for grant of pension under the said scheme from the date of their applications.

2. The case of the petitioners is that even though the applications were made by them way back in the years 1997, 1998, 2005 and 2005 respectively, the same are not considered and no orders are passed by the respondent.

3. The respondents filed counter stating that they have not received any such applications or representations and the same are not available with them.

4. On such statement, the learned counsel for the petitioners submit that the petitioners may be permitted to file fresh applications along with representations for grant of pension under Swatantrata Sainik Samman Pension Scheme, 1980.

5. In view of the above, this Court is of the view that the

Writ Petition can be disposed of as follows :

The petitioners herein are directed to give their representations along with the prescribed applications to the concerned authority for grant of pension under Swatantrata Sainik Samman Pension Scheme, 1980 within a period of thirty days from the date of receipt of a copy of the order. If such applications are forwarded to the respondent herein through proper channel, the respondent herein is directed to consider the same and pass appropriate orders within a period of three months from the date of receipt of such recommendations from the concerned authority.

6. Accordingly, the Writ Petition is disposed of. No order as to costs. As a sequel, miscellaneous petitions pending, if any, in this Writ Petition are closed.

JUSTICE RAJA ELANGO

11th February, 2015

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