

THE HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.13292 of 2009

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ORDER :

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

The case of the petitioners is that they have applied for grant of pension in the year 1990 and thereafter as no action was taken by the respondents, petitioner Nos.9, 10 and 11 have submitted another set of applications in the year 1997 and other petitioners submitted another set of applications in the years 2006 and 2007 on various dates. It is the further case of the petitioners that even though they have complied with all the necessary formalities as laid down in the scheme, their applications are not considered and no orders are passed by the respondents so far.

Having heard the learned counsel on either side and perused the material available on record, 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 afresh 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 1st respondent herein through proper channel, the 1st 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.

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

09th April, 2015

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