

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13861 of 2016

E.V.Narayanasamy

... Petitioner

vs.

1.The State of Tamil Nadu,
rep. by its Under Secretary,
Ministry of Home Affairs,
(Freedom Fighters Division),
Secretariat, Chennai-9.

2.The District Collector,
Vellore.

3.The Tahsildar,
Tiruppathur,
Vellore District.

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to consider the petitioner's representation dated 2.9.2015 for grant of Freedom Fighter Identity Card to the petitioner and his family members in order to avail the benefits ordered by the Government Order The Freedom Fighters Scheme.

For Petitioner : Mr.T.R.Rajgajenthiran

For Respondents : Mrs.P.Rajalakshmi,
Govt. Advocate.

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to consider his representation dated 2.9.2015 for grant of Freedom Fighter Identity Card to him and to his family members in order to avail

the benefits ordered by the Government under the Freedom Fighters' Scheme.

3. It is the case of the petitioner that he is a freedom fighter and he has been receiving the freedom fighter's pension from the respondents from 3.6.2009 by G.O.Ms.No.A.A.N.14020. The petitioner has been granted identity card by the Tamil Nadu Government Transportation authority for travelling free of cost. Likewise, the Ministry of Railways has also issued railway pass for travelling in the train free of cost. However, the petitioner and his family members have not been granted the Freedom Fighter identity card, which would enable them to avail the benefits as per the Government schemes. The identity card is useful for availing I Class Free Medical Treatment by the petitioner and his family members. Apart from that, the same can be used for availing free and concessional education and for priority in admission in schools / colleges, etc. and also in availing Government jobs, etc. Hence, seeking Freedom Fighters' Identity Card, the petitioner made a detailed representation dated 2.9.2015 to the respondents. Since the same was not considered so far, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondents to consider the representation of the petitioner dated 2.9.2015 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal 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 with regard to the merits of the claim made by the petitioner and it is for the respondents to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

sbi

s/d-

Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Under Secretary,
State of Tamil Nadu,
Ministry of Home Affairs,
(Freedom Fighters Division),
Secretariat, Chennai-9.

2. The District Collector,
Vellore.

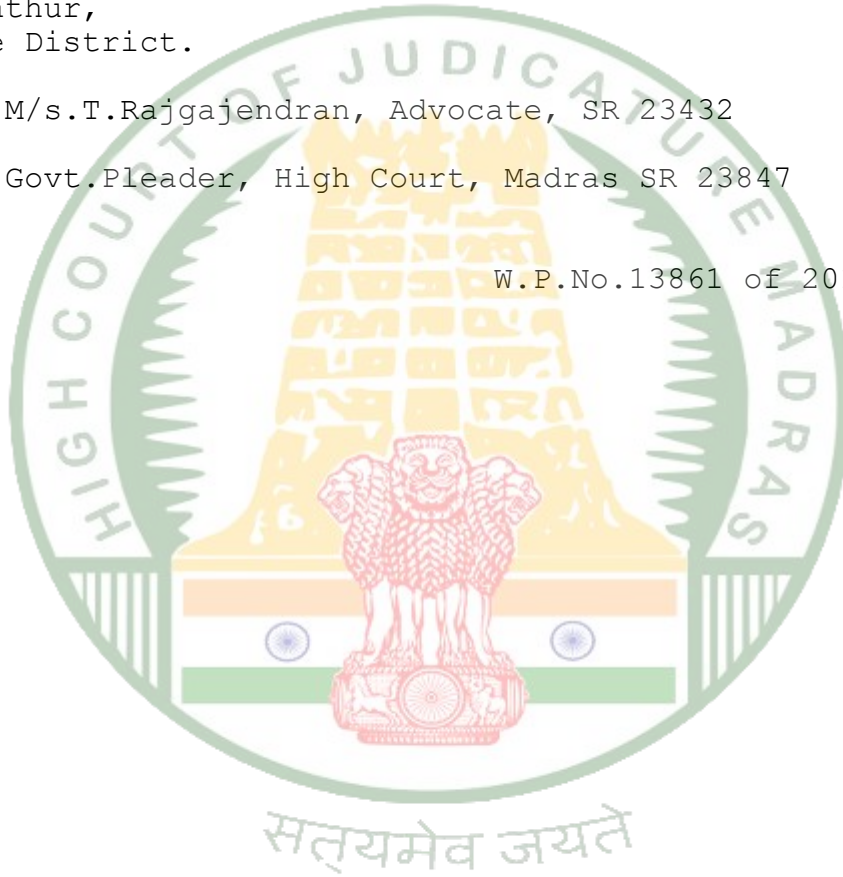
3. The Tahsildar,
Tiruppathur,
Vellore District.

+ 1 cc to M/s.T.Rajgajendran, Advocate, SR 23432

+ 1 cc to Govt.Pleader, High Court, Madras SR 23847

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