



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.06.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.11080 of 2017

M.Nachammai @ Nachammal

: Petitioner

-vs-

1. The Government of India
represented by its Secretary
Ministry of Home Affairs,
Lok Nayak Bhavan II Floor,
NDCC II Parliament Street,
New Delhi.
2. The Principal Accountant General
(Accounts & Entitlements)
Anna Salai, Teyampet,
Chennai.
3. The District Collector,
O/o.The District Collector,
Sivagangai,
Sivagangai District.
4. The Tahsildar,
Taluk Office,
Karaikudi,
Sivagangai District.
5. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
6. The Manager,
Indian Overseas Bank of India,
Devakottai,
Sivagangai District.
7. The Treasury Officer,
O/o.Treasury Office,
Sivagangai District.



8. The Sub Treasury Officer,
O/o.The Sub Treasury Office,
Devakottai,
Sivagangai District.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents Nos.1 to 3 to consider the petitioner's representation, dated 19.05.2017 within stipulated time frame fixed by this court.

For Petitioner : Mr.S.Vanchinathan

For 1st Respondent : Mr.C.Nandagopal

For 2nd Respondent : Mr.P.Gunasekaran

For R3 to R5 : Mr.D.Muruganandham
& R7 and R8 Additional Government Pleader

For 6th Respondent : Mr.N.Senthil Kumar

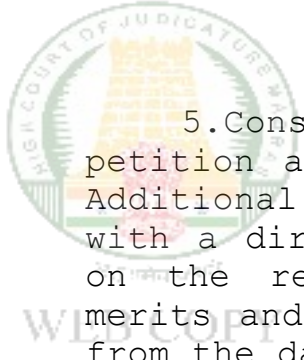
O R D E R

The prayer sought for in this writ petition is to direct the respondents Nos.1 to 3 to consider the petitioner's representation, dated 19.05.2017 within a time frame.

2.The case of the petitioner is that her husband Thiyagi Muthiah was a soldier in I.N.A, which was organized by Nethaji Subash Chandra Bose and he was receiving Thiyagi pension under the Swatanatrata Sainik Samman Pension Scheme (SSSP), since 1980 till he passed away on 24.02.2009. Subsequently, the petitioner is entitled to get same, but it was not given to her. Hence, she has given a representation, dated 19.05.2017 to the respondents. Since, no favour order was passed, the present writ petition has been filed.

3.Heard the rival submissions made on either side and perused the materials available on record.

4.Mr.D.Muruganandham, learned Additional Government Pleader appearing for the respondents 3 to 5 and 7 & 8, on instructions, would submit that there was a dispute over the name of the petitioner and now, it is clarified by the Tashildar, Karaikudi, Sivagangai District and now, after considering the representation of the petitioner, suitable orders will be passed by the the 3rd respondent/District Collector, Sivagangai, within a time frame.



5.Considering the limited prayer sought for in this writ petition and also considering the submission made by the learned Additional Government Pleader, this writ petition is disposed of with a direction to the 3rd respondent to pass appropriate orders on the representation of the petitioner, dated 19.05.2017 on merits and in accordance with law, within a period of four weeks from the date of receipt of the order copy. No costs.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To,

1. The District Collector,
O/o.The District Collector,
Sivagangai, Sivagangai District.
2. The Tahsildar,
Taluk Office,
Karaikudi, Sivagangai District.
3. The Revenue Divisional Officer,
Devakottai, Sivagangai District.
4. The Treasury Officer,
O/o.Treasury Office,
Sivagangai District.
5. The Sub Treasury Officer,
O/o.The Sub Treasury Office,
Devakottai,Sivagangai District.
- 6.The Secretary,
Ministry of Home Affairs,
Government of India,
Lok Nayak Bhavan II Floor,
NDCC II Parliament Street, New Delhi.

+1 cc to Mr.S.Vanchinathan , Advocate in SR.No. 61689
+1 cc to Mr.P.Gunasekarn , Advocate in SR.No. 61731
+1 cc to Mr.C.Nandagopal , Advocate in SR.No. 61799
+1 cc to Special Government Pleader in SR.No.61954

er

AE/KP/SAR4/10.07.2017/3P/11C