



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.17388 of 2017

Nagarathinam

... Petitioner

Vs.

1.The Under Secretary to Government of India,
Ministry of Home Affairs,
Freedom Fighter Division,
Loknayak Bhavan, Khan Marker,
New Delhi 110003.(w.e.)

2.The Assistant Secretary,
Government of Tamilnadu,
Public (General PIV) Department),
Fort, St.George,
Chennai-600 009.

3.The District Collector,
Madurai District,
Madurai.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the first Respondent to sanction the Swatantrata Sainik Samman INA Family Pension to me based on the 2nd respondent's recommendation of Government Letter No.91447/73-2 Public (General PIV) dated 12.10.1973 and informed to the petitioner husband in Memorandum No.91447/73-3 dated 12.10.1973 by second Respondent with due arrears by considering petitioner's representation dated 12.06.2017, within the period stipulated by this Court.

For Petitioner	: Mr.A.Haja Mohideen
For 1 st Respondent	: Mr.R.Nandakumar
For Respondents 2 & 3	: Mr.G.Muthu kannan

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus directing the first respondent to sanction the Swatantrata Sainik Samman INA Family Pension to the petitioner, based on the 2nd respondent's recommendation of Government Letter No.91447/73-2 Public (General PIV) dated 12.10.1973 and informed to the petitioner husband in Memorandum No.91447/73-3 dated 12.10.1973 by



second respondent with due arrears, by considering petitioner's representation dated 12.06.2017.

2.Mr.R.Nandakumar, learned Central Government Standing Counsel takes notice for first respondent and Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents 2 and 3. By consent, this Writ Petition itself is taken up for final disposal.

3.Mr.A.Haja Mohideen, learned counsel appearing for the petitioner would submit that it would suffice, if a direction is issued to the first respondent to consider the representation of the petitioner.

4.The learned Central Government Standing Counsel appearing for the first respondent would submit that the representation of the petitioner will be considered in accordance with law.

5.In view of the above, this court, without going into the merits of the claim made by the petitioner, directs the first respondent to consider the representation of the petitioner, dated 12.06.2017 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1.The Under Secretary to Government of India,
Ministry of Home Affairs,
Freedom Fighter Division, Loknayak Bhavan, Khan Marker,
New Delhi 110003.(w.e.)

2.The Assistant Secretary,
Government of Tamilnadu,
Public (General PIV) Department), Fort, St.George,
Chennai-600 009

3.The District Collector, Madurai District, Madurai.

+One cc to Mr.R.Nandakumar, Advocate, SR.No.79118

+One cc to Mr.A.Haja Mohideen, Advocate, SR.No.79223

+One cc to The Special Government Pleader, SR.No.79291

vsg/skn

<https://hcdvcesc.court.gov.in/cs/AR1/3/10/2017>

W.P. (MD) No.17388 of 2017

15.09.2017