



2. Heard both sides.

3. The case of the petitioner is that her husband, namely, Mr. A. Rathinasamy, participated in the Pre-Independence Indian Freedom Struggle and he has been secured by the Colonial Government and confined in various prisons in India. The Government of India as well as Government of Tamil Nadu awarded pension to her husband and he received the same under Swatantrata Sainik Samman Pension Scheme in PPO No. 2743/S and Tamil Nadu State Government Pension No. 9109/1980. Since he was died on 04.12.2015, the petitioner approached the third respondent for family pension and the Government of Tamil Nadu awarded freedom fighter's family pension, vide order dated 11.11.2016. She also sent an application, dated 21.12.2015, seeking Union of India Freedom Fighters Family Pension (Swatantrata Sainik Samman Pension Scheme), to the first respondent through the third respondent, along with required documents. Since the same has not been considered so far, the petitioner is before this Court.

4. The learned Assistant Solicitor General of India appearing for the first respondent fairly submits that the first respondent is yet to receive all the required certificates so as to consider the claim of the petitioner for sanction of Union of India Freedom Fighters Family Pension (Swatantrata Sainik Samman Pension Scheme).

5. The learned counsel appearing for the petitioner submits that the petitioner is in possession of the required certificates and she is also ready to submit the same before the first respondent.

6. Considering the above submissions made on either side, this Court directs the petitioner to submit the required certificates to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent is directed to consider the representation of the petitioner, dated 21.12.2015, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks, thereafter.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/



To

1. The Under Secretary (SZ),
Ministry of Home Affairs,
Government of India,
Freedom Fighter Division,
2nd Floor, New Delhi City Centre,
N.D.M.C. Building, Parliament Street,
New Delhi - 110 001.

2. The Chief Controller,
Pay and Accounts Office,
(Pension and Miscellaneous),
Ministry of Home Affairs,
2/10, Jam Nagar House,
New Delhi.

3. The District Collector,
Theni District, Theni.

+1cc to The Spl.Government Pleader Sr.No.91463
+1cc to Mr.A.Prasanna Rajadurai, Advocate Sr.No.91167
+1cc to Mr.S.Jeyasingh, Advocate Sr.No.90971

SMN

VB/MR/KKR/SAR3/22/12/2017/3P/7C

ORDER MADE IN
W.P(MD) No.20566 of 2017
05.12.2017