

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.03.2018

C O R A M

THE HON'BLE Mr.JUSTICE K. RAVICHANDRABAABU

W.P.No.734 of 2018
and
WMP Nos.895 and 896 of 2018

R.K.Venkatachalam

...Petitioner

vs

- 1.The Collector of Thiruvallur,
Thiruvallur.
- 2.The Thasildar of Ponneri,
Ponneri.
- 3.The Government of Tamilnadu,
Rep. by Additional Secretary,
Public (Political Pension) Department,
Secretariat, George Fort, Chennai.
- 4.The Under Secretary to Govt. of India,
Ministry of Home Affairs,
Freedom Fighters Divisions,
Lok Nayak Bhavan, Khan Market,
New Delhi 110 003.

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondents to dispose of the representation of the petitioner dated 06.11.2017.

For petitioner : Mr.V.Nandagopalan

For Respondents: Mr.R.Govindasamy
Special Government Pleader for R1 to R3
Mr.G.Karthikeyan
Assistant Solicitor General for R4

O R D E R

This writ petition is filed for considering the petitioner's request for grant of freedom fighters' pension both by the State and Central Government.

2. When the matter was taken up for admission on 01.02.2018, the learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the request of the petitioner will be considered and orders will be passed by the State Government, within a period of three weeks. Accordingly, the matter is taken up today for further hearing. Learned Government Pleader reported that the State Government has granted pension to the petitioner by passing an order in No.14939 dated 14.03.2018.

3. In so far as the petitioner's claim for pension from the Central Government is concerned, the learned Assistant Solicitor General Mr.G.Karthikeyan, based on instructions, submitted that no application from the petitioner is pending before the Central Government and only when such application is made and forwarded through the State Government with their recommendation, the claim of the petitioner will be considered by the Central Government in accordance with law.

4. Learned counsel for the petitioner though submitted that already application was filed before the Central Government as well, however he submitted that one more application will be sent by the petitioner to the Central Government through the State Government.

5. Thus, this writ petition is disposed of, with the following directions:

a) The petitioner is directed to send one more application to the Central Government through the State Government seeking for freedom fighter's pension within a period of two weeks from the date of receipt of a copy of this order, since the State Government has already granted pension to the petitioner.

b) On receipt of the said application, the State Government shall forward the same to the Central Government with recommendation to the petitioner within a period of three weeks thereafter, since the State Government has already granted pension to the petitioner.

c) On receipt of such application with the recommendation of the State Government as stated supra, the fourth respondent shall pass necessary orders on such application within a period of 8 weeks in accordance with the relevant scheme and procedure

also by taking note of the fact that the State Government granted pension to the petitioner on very same set of facts. No costs. The connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vri

To

- 1.The Collector of Thiruvallur,
Thiruvallur.
 - 2.The Thasildar of Ponneri,
Ponneri.
 - 3.The Government of Tamilnadu,
Rep. by Additional Secretary,
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 - 4.The Under Secretary to Govt. of India,
Ministry of Home Affairs,
Freedom Fighters Divisions,
Lok Nayak Bhavan, Khan Market,
New Delhi 110 003.
- + 1 cc to Mr.V.Nandagopalan Advocate,SR.20333
- + 1 cc to Mr.G.Karthikeyan Advocate,SR.21260
- + 1 cc to The Govt.Pleader, SR.20943

सत्यमेव जयते

W.P.No.734 of 2018

nr 21/03/2018

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