



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.10093 of 2018

T.Ranjitham

... Petitioner

vs.

1. The Government of India
rep.by its Secretary
Ministry of Home Affairs
Freedom Fighter Division
Lok Nayak Bhavan
New Delhi
2. The Government of Tamilnadu
rep.by its Secretary
Public (Political Pension) Department
Fort St.George, Chennai-600 009
3. The District Collector
Pudukkottai & District
4. The Chief Manager
Indian Bank
Corporation Office
P.B.No.5555, 254-260
Avvai Shanmugam Salai
Royapettai
Chennai-600 014

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to sanction the Freedom Fighters Dependents Pension continuously to the petitioner with arrears which is stopped from December, 2017 and consequently direct the second respondent to repay the reduction of State Freedom Fighters Dependents pension by calculating from December, 2016.

For Petitioner : Mrs.R.Karthika

For Respondents: Mr.V.Anand

Government Advocate for R1 to R3

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of nature of the order to be passed by this Court.

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2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that her representation dated 20.04.2018 seeking to sanction the Freedom Fighters Dependents Pension, with arrears, which was stopped from December, 2017 and for a direction to the second respondent to repay the reduction of State Freedom Fighters Dependents pension by calculating it from December, 2016, has not been considered by the first respondent till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 20.04.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary,
Ministry of Home Affairs,
Freedom Fighter Division,
Lok Nayak Bhavan,
New Delhi.



2. The Secretary,
Public (Political Pension) Department,
Fort St.George, Chennai-600 009.

3. The District Collector,
Pudukkottai & District.

+1cc to Mr.Mrs.R.Karthika, Advocate Sr.No.64673

KRK

VB/JC/SAR3/23.05.2018/3P/5C

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28.04.2018