

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 05.06.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.11844 of 2018****WEB COPY**

N.Mayilappapillai

... Petitioner

vs.

1. The Secretary,
Government of India,
Ministry of Home Affairs,
FFR Division - SZ Section,
2nd Floor, City Centre - II,
Parliament Street, New Delhi - 110001.

2. The Secretary,
Public (Political Pension) Department,
Freedom Fighters Pension Schem,
Secretariat, Chennai.

3. The District Collector,
Collectrate, Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to give freedom fighter family pension to the petitioner based on his representation dated 21.08.2017.

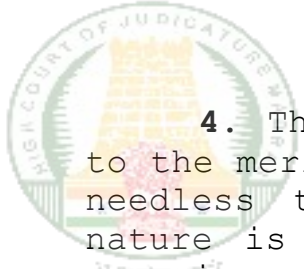
For Petitioner :Mr.S.Sivakumar
For R-1 & R-2 :Mr.V.Kathirvelu,
Assistant Solicitor General for India
assisted by Mr.Rajaraman
For R-3 :Mr.V.Anand
Government Advocate

O R D E R

Mr.V.Kathirvelu, learned Assistant Solicitor General for India takes notice for respondents 1 and 2. Mr.V.Anand, learned Government Advocate, takes notice for the third respondent.

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 his representation dated 21.08.2017 seeking to give freedom fighter family pension has not been considered by the respondents till date and therefore, he 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 second respondent to consider the petitioner's representation dated 21.08.2017 on its own merits and take further action in accordance with law, within a period of six 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(crl side)

/True Copy/

Sub Assistant Registrar

To

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Secretariat, Chennai.

3. The District Collector,
Collectrate, Tirunelveli,
Tirunelveli District.

+1cc to Mr.G.Rajaraman, Advocate Sr.No.66811

+1cc to Mr.S.Sivakumar, Advocate Sr.No.66749

AAV

VB/KKR/SAR2/14.06.2018/2P/6C