



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.16343 of 2018

WEB COPY

V.M.Thirunavukkarasu

... Petitioner

vs.

1.The Government of India,
Represented by its Secretary,
Ministry of Home Affairs,
(Freedom Fighters Division)
Lognaya Bhavan
New Delhi.

2.The Government of Tamil Nadu
Represented by its Secretary,
Public (General) Department,
Secretariat,
Chennai.

3.The District Collector,
Madurai District,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to forward the petitioner's Swantantra Sainik Samman Pension Scheme Application Form dated 26.03.2018 to the 2nd respondent within a time frame as prescribed by this Court by considering the petitioner's representation dated 11.07.2018.

For Petitioner	: Mr.M.Pounraj
For R1	: Mr.P.Dharmaraj
	Senior Central Government Panel Advocate
For R2 & R3	: Mr.M.Jeyakumar
	Additional Government Pleader

O R D E R

This writ petition is filed to direct the third respondent to forward the petitioner's Swantantra Sainik Samman Pension Scheme Application Form, dated 26.03.2018 to the second respondent within a time frame as prescribed by this Court, by considering his representation dated 11.07.2018.

2.According to the petitioner, he was a freedom fighter and hence, he is entitled to get freedom fighter pension. In order to get such pension by the Central Government under the scheme called "Swantantra Sainik Samman Pension Scheme", he submitted his



application on 26.03.2018 to the third respondent requesting to forward the same to the first respondent for sanctioning of Central Government Pension.

3. The usual procedure for sanctioning of such pension, the third respondent has to forward the proposal to the second respondent, who in turn, forward the same to the first respondent, who is a competent authority to sanction Central Government Pension. Unfortunately, the third and second respondents have not forwarded the petitioner's application to the first respondent and therefore, the petitioner is before this Court for the aforesaid relief.

4. The learned Additional Government Pleader appearing for the respondents 2 and 3, on instructions, would submit that the third respondent is ready to forward the application within the time stipulated by this Court.

5. Considering the submission made on behalf of the petitioner and also the prayer sought for in this writ petition, this Court passed the following directions:

(a) The third respondent is directed to forward the application submitted by the petitioner, dated 26.03.2018 seeking Central Government Pension under the Swantantra Sainik Samman Pension Scheme, to the second respondent, within a period of two weeks from the date of receipt of a copy of this order.

(b) On receipt of such application, the second respondent shall forward the same to the first respondent within a period of two weeks for sanctioning Central Government Pension.

(c) The first respondent on receipt of the application shall take a decision on merits and in accordance with law, within a period of four weeks thereafter.

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

Sd/-

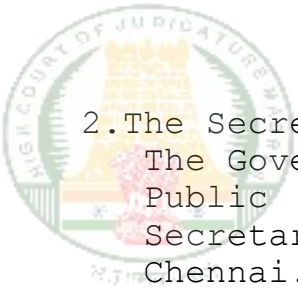
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

1. The Secretary,
The Government of India,
Ministry of Home Affairs,
(Freedom Fighters Division)
Lognaya Bhavan



2.The Secretary,
The Government of Tamil Nadu
Public (General) Department,
Secretariat,
Chennai.

3.The District Collector,
Madurai District,
Madurai.

+1 cc to Special Government Pleader, SR.No. 79960.
+1 CC TO Mr.M.Pounraj, ADVOCATE IN SR No. 79789.

NS
DS SV SAR-4:20.09.2018: 3P/6C

W.P.(MD) No.16343 of 2018
23.08.2018