

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 5923 of 2015

V. Pattammal

... Petitioner

-VS-

1. The Government of India,
Rep. By its Secretary,
Ministry of Home Affairs, (Freedom Fighters Division)
Lok Nayak Bhawan, New Delhi - 110 003.
2. The Under Secretary,
Ministry of Home Affairs, (Freedom Fighters Division)
Lok Nayak Bhawan, New Delhi - 110 003.
3. The Secretary to Government of Tamil Nadu,
Public Department, (Political Pension Division)
Fort St. George, Chennai - 600 009.
4. The District Collector,
Thiruvavarur District,
Thiruvavarur.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Under Secretary to Government of India, Ministry of Home Affairs (Freedom Fighters' Division), New Delhi - 110 003, the 2nd respondent herein passed in his letter No.29/7630/73_FFINA, dt. 24.07.1979 and also the letter No.29/7630/73-FF-INA dated 8th December, 1989 and to quash the same and directing the respondents 1 & 2 to sanction the Swathantratha Sainik Samman INA Pension to the petitioner with effect from 19.12.1978 (the date on which the application was made by the husband of the petitioner as referred to in the impugned order dt. 24.07.1973) till 07.01.2015 when the husband of the petitioner died and subsequently issue Freedom Fighter Family Pension to the petitioner with interest at the rate of 9% per annum till the payment is made by the respondents 1 & 2, within a time frame.

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For Petitioner :No Appearance

For R1 and R2 :Mr. G. Karthikeyan
(Assistant Solicitor General of India)

For R3 and R4 :Ms. P. Rajalakshmi
(Additional Government Pleader)

O R D E R
(through video conference)

The Writ Petition has been filed challenging the Order No.29/7630/73_FFINA, dated 24.07.1979 and the Order No.29/7630/73-FF-INA dated 8th December, 1989 passed by the Second Respondent and for consequential direction to the First and Second Respondents to sanction the Swathantratha Sainik Samman INA Pension to the Petitioner with effect from 19.12.1978 (the date on which the application was made by the husband of the Petitioner as referred to in the impugned order dated 24.07.1973) till 07.01.2015 when the husband of the Petitioner died and subsequently issue Freedom Fighter Family Pension to the Petitioner with interest at the rate of 9% per annum till the payment is made by the First and Second Respondents, within a time frame.

2. There is no representation for the Petitioner when the matter was called on 17.07.2020 as well as at 1.15 p.m., today.

3. Learned Additional Government Pleader appearing for the Third and Fourth Respondents, on instructions, states that the Petitioner has expired on 09.03.2016, and has confirmed the same by e-mail dated 24.07.2020 along with a copy of Letter No.12602/PP.1/2015-20, dated 11.04.2018 from the Government of Tamil Nadu to Government of India in that regard, which is placed on record.

4. Accordingly, the Writ Petition is dismissed as abated. No Costs.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar

maya/dm

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To

1. The Secretary, Government of India,
Ministry of Home Affairs, (Freedom Fighters Division)
Lok Nayak Bhawan, New Delhi - 110 003.
2. The Under Secretary,
Ministry of Home Affairs, (Freedom Fighters Division)
Lok Nayak Bhawan, New Delhi - 110 003.
3. The Secretary to Government of Tamil Nadu,
Public Department, (Political Pension Division)
Fort St. George, Chennai - 600 009.
4. The District Collector,
Thiruvarur District,
Thiruvarur.

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AJS (CO)
CB(29/10/2020)



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