

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

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

W.P. No. 33983 of 2017  
and  
W.M.P. No. 37704 of 2017

Thiyagi Kadar Mohideen

... Petitioner

-vs-

1. The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Public (Political Pension III),  
Department, Fort St.George,  
Chennai - 600 009.

2. The District Collector,  
Namakkal,  
Namakkal District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the Second Respondent in Mu.Mu.3806/2017(02) dated 25.10.2017 and consequential order letter No.6971/AO-3/2015 dated 20.05.2015 passed by the First Respondent and to quash the same and direct the Respondents to grant freedom fighter pension to petitioner from the date of eligibility, within the period as stipulated by this Court.

For Petitioner : Mr. D.Nellaiappan

For Respondents: Mr. D.Sathyaraj,  
Special Government Pleader

O R D E R  
(through video conference)

The Writ Petition has been filed challenging the Order No. Mu.Mu. 3806/2017(02) dated 25.10.2017 and consequential Order No. 6971/AO-3/ 2015 dated 20.05.2015 passed by the First Respondent and consequently direct the Respondents to grant Freedom Fighters Pension to the Petitioner from the date of eligibility.

2. It is informed by the Learned Counsel for the Petitioner that he had been orally informed that the Petitioner died on 03.10.2019, but his legal heirs are yet to contact him to file necessary application to continue the proceedings. He has also filed a memo dated 27.08.2020 to that effect, which is placed on record.

3. In the aforesaid circumstances, the Writ Petition stands dismissed as abated with a clarification that the legal heirs of the deceased Petitioner are not precluded to seek for re-opening of the proceedings in the manner recognized by law, on satisfying the conditions prescribed for the same. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-  
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

kv/vjt

To

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

2. The District Collector,  
Namakkal,  
Namakkal District.

सत्यमेव जयते

W.P. No. 33983 of 2017

GMV (08/09/2020)

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