



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Second day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

WP(MD) No.13188 of 2020

M.MEENACHI @ SMT.MEENACHIAMMAL MUPPIDATHI

... PETITIONER

Vs

1.THE GOVERNMENT OF INDIA
REPRESENTING BY THE SECRETARY,
MINISTRY OF HOME AFFAIRS,
(FREEDOM FIGHTER DIVISION)
2ND FLOOR, NDCC-II BUILDING,
JAI SINGH ROAD, NEW DELHI-110 001.

2.THE UNDER SECRETARY,
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA,
FFR DIVISION-SZ SECTION, 2ND FLOOR,
NDCC II, JAI SINGH ROAD, PARLIAMENT STREET,
NEW DELHI 110 001.

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a writ of mandamus or any other writ or direction in the nature of writ, directing the respondent to consider and dispose the petitioner (reminder) representation dated 12.09.2020 relating with transfer of Freedom Fithter's pension received by petitioner's husband to the petitioner as Freedom Fighter's Family Pension to the dependent.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.VIJAYANAND, Advocate for the petitioner and of Mr.M.ASHOKKUMAR, Central Government Senior Counsel on behalf of the Respondents, the court made the following order:-

Through an earlier order dated 01.10.2020 passed in W.P(MD) No.13188 of 2020, this Court had disposed of the writ petition with a direction to the first respondent to sanction dependant pension to the petitioner along with arrears from 20.03.2013 till date, within a period of six weeks. With the above interim direction, this writ petition was listed on 04.12.2020. Thereafter, the writ petition was listed on four occasions and repeatedly the case was adjourned on the request of the respondents seeking for further time for



reporting compliance of the order. The last of such hearing was on 04.03.2021, on which date also the respondents sought for further time.

2.Today, when the matter was called, the learned Senior Central Government Standing Counsel for the respondents produced a copy of the order passed by the Under Secretary to the Government of India, Ministry of Home Affairs, addressed to the Pay and Account's Officer, sanctioning the family pension in favour of the petitioner. The fact remains that the respondents had not disbursed the family pension till date in favour of the petitioner, though the sanctioning order remains in her favour, inspite of several opportunities given to the respondent.

3.The learned Senior Central Government Standing Counsel makes an earnest request to extend a last opportunity to the respondents to implement the earlier order of this Court dated 01.10.2020. By taking into account the number of opportunities extended to the respondents, list the matter on 19.04.2021 for reporting compliance of the order of this Court dated 01.10.2020.

4.It is made clear that in case, the family pension is not disbursed in favour of the petitioner herein on or before 19.04.2021, the Under Secretary, Ministry of Home Affairs/Grih Mantralaya, FFR Division-SZ Section, 2nd Floor, NDCC-II, Jai Singh Road, Parliament Street, New Delhi-110 001 shall be personally present before this Court.

sd/-
22/03/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.THE SECRETARY,
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS,
(FREEDOM FIGHTER DIVISION)
2ND FLOOR, NDCC-II BUILDING,
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2.THE UNDER SECRETARY,
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NEW DELHI 110 001.

WEB COPY

+1. C.C. to Mr.M.ASHOKKUMAR Advocate SR.No.2438

ORDER

IN

WP(MD) No.13188 of 2020

Date :22/03/2021

CP

TK/PN/SAR.3/25.03.2021/3P/4C