



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 21.08.2020
DELIVERED ON : 25.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE RMT. TEEKAA RAMAN

WP (MD) .Nos.2030 and 2031 of 2014

R.Mariammal : Petitioner in W.P(MD) .No.2030/14
R.Jeyalakshmi : Petitioner in W.P(MD) .No.2031/14

Vs.

1.The Secretary to Government of Tamil Nadu
Public Department(Pensions Political)
Fort St.George, Chennai

2.The District Collector
Madurai
Madurai North

3.The Tahsildar
Madurai North
Madurai

: Respondents in both W.Ps.

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to sanction the political pension for the petitioner by declaring the petitioner as descendants of King Maruthu Pandiyar Brothers.

In both Writ petitions

For petitioners : Mr. P.T.Thiraviam

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

COMMON ORDER

Since both writ petitioners are seeking the similar relief, these Petitions are heard together and disposed of by way of this common order.

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2. These Writ Petitioners have filed the above writ petitions seeking for a direction to the second respondent for grant of political pension on the ground that they are the descendents of King Maruthu Pandiyar Brothers of Sivagangai.

3. The learned counsel for the petitioners submitted that on an earlier occasion one Kalyani and Kasthuri Kannan have filed the Writ Petitions in W.P(MD).Nos.7234 and 7235 of 2009 and by an order dated 13.10.2009, this Court had directed the respondent therein to consider and pass orders for sanction of political pension to those petitioners by declaring them as descendants of King Maruthu Pandiar Brothers.

4. The respondents filed a counter, wherein at paragraph No.10, it is stated as follows:

"10. With regard to the averments made in ground (A) and (B) of the affidavit, it is submitted that the petitioner has prayed to direct the 2nd respondent to sanction the political pension of her by declaring her as descendants of King Maruthu Pandiar Brothers. The 2nd respondent is not the competent authority to grant political pension to the petitioner. It is submitted that on petition given by the petitioner, the 2nd respondent sent proposals to the 1st respondent on 29.05.2012. It was rejected by the 1st respondent in Na.Ka.No.19753/A.J.2/2012-1 dated 19.07.2012. The fact was intimated to the petitioner by the 2nd respondent in his Na.Ka.No.23244/2009/Y4 dated 04.09.2012, as directed by the 1st respondent. "

5. The counter was filed in the year 2014. Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader has also produced a copy of the letter reference dated 19.07.2012 referred above.

6. On perusal of copy of the order as mentioned in the counter, it is seen that the request of these two petitioners were considered by the first respondent and for the reasons assigned therein, the request for grant of political pension to the petitioners as descendants of King Maruthu Pandiar Brothers was rejected. On the other factual documents, I find the order of rejection has passed as early as 19.07.2012 and these writ petitions were filed in the year 2014. It appears that both petitioners have suppressed the material fact.

7. Be that as it may, since the representation made by the petitioners had already been considered and rejected by the first respondent, the relief sought for in these writ petitions for a direction to consider and for sanction of the political pension, cannot be granted. However, it is open to the petitioners to challenge the above said order of rejection, if they so be advised.



8. With this observation and giving liberty to the petitioners, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 to Government of Tamil Nadu
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Fort St.George, Chennai

2. The District Collector
Madurai
Madurai North

3. The Tahsildar
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Madurai.

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ORDER MADE IN
WP(MD) .Nos.2030 and 2031 of 2014
25.08.2020

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SDS (02.09.2020) 3P-6C