

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.10777 of 2021

G.Kunjammal

... Petitioner

Vs.

1. The Deputy Secretary to Government,
Freedom Fighters Pension,
Ministry of Home Affairs,
2nd Floor, NDCC-II Building,
Jaisingh Road,
New Delhi - 110 001.
2. The Deputy Secretary,
Public (Political Pension-I) Department,
Secretariat,
St. George Fort,
Chennai 600 009.
3. The District Collector,
Collectorate,
Nagapattinam,
Tamil Nadu.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to grant pension as per the Application given by the Petitioner in F.No.29/TN/09/2020-FF/INA pending on the file of the 1st Respondent.

For Petitioner : Mr.A.Sundaravadhanan

For 1st Respondent : Nil

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to grant pension as per the Application given by her in F.No.29/TN/09/2020-FF/INA pending on the file of the 1st Respondent.

2. According to the Petitioner, her husband, who was a member of the Indian National Army, died on 29.09.2019. After his demise, she applied with the Respondents for family pension. Her Application was taken on file in F.No.29/TN/09/2020-FF/INA. But, the 1st Respondent did not process her Application with regard to payment of Family Pension.

3. Today, when the matter is taken up for hearing, learned counsel appearing for the 1st Respondent submitted that, the entire details are available with the 3rd Respondent/District Collector, who may submit a detailed Report to the 1st Respondent, in order to enable the 1st Respondent to consider the request of the Petitioner.

4. Learned counsel for the Petitioner submitted that, the Petitioner is an old lady, aged 93 years and that, already, entire materials have been produced before the 3rd Respondent/District Collector. It is his contention that, for want of particulars from the 3rd Respondent/District Collector, the 1st Respondent cannot keep quiet without passing any orders.

5. Heard the learned counsel on either side and perused the material documents available on record.

6. Admittedly, the Petitioner has made a request for Family Pension under the Family Pension Scheme. Considering the facts and circumstances of the case and also the fact that, the Petitioner is an aged lady, the 3rd Respondent/District Collector is directed to submit a detailed Report along with the materials produced by the Petitioner to the 1st Respondent herein, within a period of one month from the date of receipt of a copy of this order and within one month thereafter, the 1st Respondent shall take a decision and communicate the decision taken to the Petitioner within a period of three weeks.

The Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Deputy Secretary to Government,
Freedom Fighters Pension,
Ministry of Home Affairs,
2nd Floor, NDCC-II Building,
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+lcc to the Government Pleader Sr.26738

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srg 13/07/2021



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