



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.1254 of 2013

Smt.Annammal

...Petitioner

-Vs-

1.The Director,
Government of India,
Ministry of Home Affairs,
Freedom Fighters Pension,
1st Floor,Lok Nayak Bhavan,
New Delhi - 110 003.

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

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, prayed to issue a Writ of Mandamus by directing the first respondent to issue Freedom Fighter Pension to the Petitioner, who is the widow of Freedom fighter late Susai Arul under Swatantra Sainik Samman Pension Scheme 1980 along with arrears of the pension from the date of claim namely 25.11.1997.

For Petitioner : Mr.S.Krishnasamy

For R1 : Mr.K.S.Jayaganesh

For R2 : Mr.S.Arumugham
Government Counsel

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.



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2. This is a matter where the Honourable Supreme Court of India had remitted back the issue to enable the respondents to file a reply affidavit and thereafter dispose of the same within three months, pursuant to which the respondents have also filed a reply affidavit. However, it is now brought to the notice of this Court that the petitioner herein, who is the widow of the late Freedom Fighter, had expired on 25.09.2019 itself, even prior to the orders passed by the Honourable Supreme Court.

3. Apparently, the death of the petitioner was not brought to the notice of the Honourable Supreme Court. Even before this Court, when the matter was listed on the earlier occasions, the petitioner was granted time to implead the legal heirs of late Smt. Annammal/the petitioner herein. In spite of considerable time being granted, it is represented that the legal heirs of the petitioner are not traceable. This Court, on 12.08.2021, had directed the learned Government Counsel to make one last effort through the District Collector to trace the legal heirs of the late petitioner.

4. The learned Government Counsel appearing for the second respondent would submit that they are unable to trace the legal heirs.

5. Since the petitioner has died and no application has been filed to substitute the legal heirs, the writ petition stands dismissed as abated. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

hvk/ata

To

1.The Director,
Government of India,
Ministry of Home Affairs,
Freedom Fighters Pension,



1st Floor, Lok Nayak Bhavan,
New Delhi - 110 003.

2. The Secretary,
Public Political Pension Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

+1cc to Mr. S. Jeyaganeshan, Advocate, S.R.No.51006

+1cc to the Government Pleader, S.R.No.51986

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CP(CO)
SB(27/10/2021)