



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.NO.20156 OF 2021

AND

WMP.NOS.21424 AND 21425 OF 2021

R.Anthoniammal

...Petitioner

VS.

1. The Under Secretary to Govt. of India (INA),
Ministry of Home Affairs,
Freedom Fighters Divisions,
2nd Floor, NDCC-II Building, Jai Singh Road,
New Delhi-110 003.
2. The Govt. of TN rep. By Additional Secretary,
Public (Political Pension) Department,
Secretariat, St.George Fort,
Chennai-9.
3. The Collector of Chennai,
Chennai-600 001.
4. The Tahsildar of Perumbur,
Perumbur-600 011.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to dispose the representation made on 22.07.2021 by the petitioner.



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For Petitioner : Mr.V.Nandagopalan

For Respondents : Mr.Rajesh Vivekanandhan for R1
Mr.S.Arumugham
Government Advocate for R2 to R4

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. Since the petitioner's request to provide Freedom Fighter Dependent Pension, as mentioned in her representation dated 22.07.2021 was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the first respondent herein to consider the petitioner's representation dated 22.07.2021 within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 22.07.2021 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition stands disposed of. There shall be no orders as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

Jvm

To

1. The Under Secretary to Govt. of India (INA),
Ministry of Home Affairs,
Freedom Fighters Divisions,
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New Delhi-110 003.
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Secretariat, St.George Fort,
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Chennai-600 001.
4. The Tahsildar of Perumbur,
Perumbur-600 011.

+1cc to Mr.R.Rajesh Vivekanandhan, Advocate, S.R.No.52293

+1cc to Mr.V.Nandagopalan, Advocate, S.R.No.52846

+1cc to the Government Pleader, S.R.No.52793

W.P.No.20156 of 2021

CA(CO)
RLP(02/11/2021)