

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12397 of 2022

Thenammal

... Petitioner

Vs

- 1.The Under Secretary,
South Zone,
Freedom Fighter Division (INA),
Ministry of Home Affairs,
Government of India,
NDCC II Building 2nd Floor,
Jai Singh Road,
Near NDMC,
New Delhi – 110 001.
- 2.The Deputy Secretary to Government,
Public (Political Pension-1) Department,
Secretariat,
Chennai – 9.
- 3.The Assistant Accounts Officer,
Central Pension Accounting Office,
Government of India,
Trikoort – 2, Bhikaji Cama Place,
New Delhi – 110 066.

4.The Accountant General,
Office of the Principal Accountant General,
(Accounts and Entitlements),
No.261, Anna Salai, Madras – 18.

5.The Branch Manager,
Indian Overseas Bank,
Kandramanickam Branch,
Tirupattur,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the respondents to grant family pension to the petitioner as widow of Freedom Fighter late C. Krishnan and credit the pension amount in the petitioner's Savings Bank A/c. No.134301000018097 maintaining with the fifth respondent bank in the name of Smt. Thenammal, from the date of demise of her late husband Mr.C.Krishnan.

For Petitioner : Mr.S.Sukumar

For R-1 and R-3 : M/s.L.Victoria Gowri,
Assistant Solicitor General of India.

For R-2 and R-4 : Mr.G.Sivaraja,
Government Advocate.

For R-5 : Mr.N.Dilip Kumar

ORDER

Heard learned counsel for the petitioner and learned Assistant Solicitor General of India appearing for the first and third respondents and learned Government Advocate appearing for the second and fourth respondents and learned counsel appearing for the fifth respondent.

2. The writ petitioner husband namely, Krishnan, was a freedom fighter. He was receiving pension from both the Central Government as well as the State Government. The said Krishnan passed away recently. The petitioner as a widow/dependent is also entitled to receive the pension. When the writ petitioner approached the fifth respondent, they took the stand that unless the name of the petitioner is also added in the relevant papers, it would not be possible for them to comply with the petitioner's request. That led to the filing of this Writ Petition.

3. When the matter was taken up for hearing, the learned Government Advocate on instructions stated that the petitioner will be allowed to receive the freedom fighters pension under the dependents category through the fifth respondent Bank. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. This Writ Petition is allowed accordingly. There shall be no order as to costs.

01.09.2022

Index : Yes / No
Internet : Yes/ No
Nsr

To

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