



W.P(MD)No.5160 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2022

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.5160 of 2014

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... Petitioner

Vs.

1.The Under Secretary,
Government of India,
Ministry of Home Affairs,
Freedom Fighters Division,
1st Floor, Lok Nayak Bhavan,
New Delhi.

2.The Chief Secretary,
Government Public Political Pension (General Department),
Tamil Nadu Government,
St.George Fort,
Chennai.

3.The District Collector,
Madurai District,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 to forward the recommendations on the application



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of the petitioner, dated 09.04.2012 under Swandra Sainik Samman Pension Scheme to the first respondent without insisting for further verification of records and consequentially direct the first respondent to grant Freedom Fighters Pension to the petitioner from the date of her application under Central Swandra Sainik Samman Scheme within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.K.P.Narayana Kumar

For R1 : Mr.S.Jeyasingh

For R2 & R3 : Mr.P.Thambidurai
Government Advocate

ORDER

The present writ petition has been filed seeking for a writ of Mandamus directing the respondents 2 and 3 to recommend the application of the petitioner for Swandra Sainik Samman Pension Scheme to the first respondent without insisting for further verification of records and consequentially directing the first respondent to grant Freedom Fighters Pension to the petitioner from the date of her application under Central Swandra Sainik Samman Scheme.

2. According to the petitioner, her husband participated in the freedom struggle and in the Quit India Movement. The petitioner's



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husband was arrested on 22.05.1943 and detained at Central Prison, Madurai and was later transferred to Allipuram Camp Jail, Bellari District, Karnataka and he was incarcerated from 24.05.1943 to 04.09.1943. The petitioner's husband had passed away on 20.08.1999.

3. According to the petitioner, he is already receiving the freedom fighters family pension from the State Government. The third respondent herein by proceedings, dated 11.02.2014 has sought for certain documents so that he can forward it to the first respondent herein. The learned counsel for the petitioner has filed the additional type set of papers consisting of documents that were called for by the third respondent herein. Since all the records are available before the respondents 2 and 3 herein, the respondents 2 and 3 are directed to forward the same to the first respondent within a period of eight weeks from the date of receipt of copy of this order. On receipt of the same, if the first respondent calls for any further documents, it is the duty of the petitioner to submit the same.



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4. With the above said observations, the writ petition stands allowed. No costs.

19.07.2022

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Index : Yes / No
Internet : Yes / No

To

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