



W.P.No.12785 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.12785 of 2023

1. Syed Rahman
2. Sadath Begum
3. Nazurudin Siddhiq Babu ...Petitioners

Vs.

1. The District Collector,  
Thiruvanamalai District, Thiruvanamalai.
2. The Secretary to Government,  
Public (Political Pension-II) Department  
Secretariat, Chennai-600 009.
3. The Joint Secretary to the Government,  
Public (Political Pension-II) Department,  
Secretariat, Chennai-600 009.
4. The Principal Accountant General,  
(Account and Establishment), Tamil Nadu.
5. The State of Tamil Nadu,  
Rep. by its Chief Secretary to the Government of Tamil Nadu,  
Fort St. George, Chennai.
6. The District Collector,  
Collectorate,



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Chennai District, Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to fix and sanction the Political pension at par with present cost of living to each of the petitioners and lieu of to assign and allot a decent residential house from the Tamil Nadu Housing Board to each of the petitioners free of cost within Chennai District, based on the letter No.38626/A.O.1/2021-3 of the 2nd respondent dated 16.11.2022 address to the 6th respondent and also the recommendation of the 1st respondent in Na.Ka.No.1/28593/2014 dated 28.09.2022 address to the 2nd respondent within the time frame that may be fixed by this Honourable Court

For Petitioners : Mr.S.Arokia Mani Raj

For Respondents : Mr.M.Alagu Goutham, GA

### **ORDER**

The petitioners have filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 2nd respondent to fix and sanction the Political pension to the petitioners and lieu of to assign and allot a decent residential house from the Tamil Nadu Housing Board to the petitioners free of cost within Chennai District, based on the letter No.38626/A.O.1/2021-3 of the 2nd respondent dated 16.11.2022 address to the 6th respondent and also the recommendation of the 1st respondent in Na.Ka.No.1/28593/2014



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dated 28.09.2022 address to the 2nd respondent.

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2. Mr.M.Alagu Goutham, learned Government Advocate takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioners is that the petitioners herein are the descendants of one Mohammed Ishaq, who is the eldest son of the 8th Carnatic Nawab Mohammed Ali Khan, who was given Potharai Village as his share from his father instead of Nawabdom and his younger brother became the 9th Carnatic Nawab. After the demise of the said Mohammed Ishaq, his shares of lands were resumed by the British Government and it granted a Hereditary Dehat Inam to his son namely Muhammed Tippoo in lieu of Potharai Village and he received a Grant of Rs.112 per annum under the sanction of the Government Boards Proceedings No.564 dated 13.06.1851. Thereafter, the legal heirs of the said Muhammed Tippoo continued to receive the grant/pension. Thereafter, the petitioners herein being the descendants/legal heirs of the said Mohammed Ishaq, made a



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representation before the 1st respondent, seeking sanction of Political pension, seeking grant of Political Pension. However, the Revenue Divisional Officer, sent a communication to the petitioners stating that, except for direct legal heirs, the other legal heirs should obtain a Judgment and Decree for legal heir from appropriate Civil forum. Pursuant to which, the petitioners along with other legal heirs filed a suit in O.S.No.237 of 2016 and obtained a decree dated 29.04.2022 in their favour. Some of the other legal heirs filed W.P.No.20740 of 2016 and this Court, vide order dated 30.08.2022 disposed of the said Writ petition with a liberty to the petitioners therein to file appropriate claim petition before the 2nd respondent therein. Thereafter, the petitioners made a detailed representation dated 18.07.2022 before the 3rd respondent, pursuant to which, though several correspondence have taken place in between the officials, however, till date no final orders have been passed on the petitioners' representations and the petitioners are not sanctioned with the Political Pension. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction



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to the 2nd respondent to consider the petitioners' representation dated 18.07.2022 and sanction Political pension to each of the petitioners and lieu of to assign and allot a decent residential house from the Tamil Nadu Housing Board to each of the petitioners free of cost within Chennai District, based on the letter No.38626/A.O.1/2021-3 of the 2nd respondent dated 16.11.2022 and also the recommendation of the 1st respondent in Na.Ka.No.1/28593/2014 dated 28.09.2022.

5. Learned Government Advocate appearing for the respondents submitted that appropriate orders will be passed on the petitioners' representation dated 18.07.2022 within the time stipulated by this Court.

6. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs the 2<sup>nd</sup> respondent to consider the petitioners' representation dated 18.07.2022 on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners and aggrieved persons, if any.



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Speaking Order : Yes/ No  
Index : Yes/ No

To

1. The District Collector,  
Thiruvanamalai District, Thiruvanamalai.
2. The Secretary to Government,  
Public (Political Pension-II) Department  
Secretariat, Chennai-600 009.
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**M.DHANDAPANI., J.**

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in

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**M.DHANDAPANI, J.**

Though the present Miscellaneous petition has been filed by the petitioners seeking to permit them to jointly file a single Writ petition, however, it is pertinent to note that, the Registry has already made an endorsement in the main petition itself to that effect that, "Full



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Court fee paid".

2. In view of the above endorsement made by the Registry, no further order is necessary in this Miscellaneous petition.

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