



WEB COPY



W.P.No.16991 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16991 of 2018

P.Rangammal

.. Petitioner

Vs.

1. The District collector,
Thiruvallur.

2. The Tahsildar of Ponneri,
Ponneri.

3. The Government of Tamil Nadu,
Rep. by Additional Secretary,
Public(Political Pension) Department,
Secretariat, George Fort, Chennai.

4. The Under Secretary to Govt. Of India,
Ministry of Home Affairs,
Freedom Fighter Divisions,
Lok Nayak Bhavan, Khan Market,
New Delhi – 110003.

..Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus direct the respondents to dispose the representation made on 8.8.2011 and 24.5.2018 by the petitioner.

For Petitioner : Mr.V.Nandagopalan
For Respondents : Mr.U.Bharanidharan, AGP RR1 to 3
Mr.Dhinakaran, R4



W.P.No.16991 of 2018

ORDER

This petition has been filed seeking a direction to the respondents to dispose the representations made on 8.8.2011 and 24.5.2018 by the petitioner.

2. It is the case of the petitioner that her husband viz., Mr.M.Periasamy is the freedom fighter (INA) and he had applied to the SWATANTRA SAINIK PENSION SCHEME on 06.06.1990 and 06.06.2005 along with relevant documents. Subsequently, the petitioners husband died on 11.07.2006. Thereafter, the petitioner made a representation to the Chief Minister on 08.08.2011 and 24.05.2017 for getting freedom fighter pension of her husband. However, till date, no order is passed and hence, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that on the earlier occasion, while entertaining the batch of writ petition and this petition, this Court issued a direction to the State Government or Central Government to consider the request of the freedom fighters and file a report before this Court whether they are entitled to receive the pension or not. Pursuant to the



W.P.No.16991 of 2018

direction issued by this Court, the State Government recommended to sanction pension to the petitioners, vide proceedings dated 30.12.2020.

Therefore, this Court may direct the respondents to consider the petitioner's representation within the stipulated time as fixed by this Court.

4. The learned Additional Government Pleader has fairly submitted that already the State Government has recommended for grant of pension to the petitioner and other persons. Therefore, the petitioner's representation will be considered and appropriate orders will be passed within the stipulated time as fixed by this Court.

5. Heard both sides and perused the materials available on record.

6. The petitioner has filed the present writ petition for grant of freedom fighter pension from the State Government as well as the Central Government. The State Government has recommended for grant of pension to the petitioner and others vide proceedings dated 30.12.2020, Public (Political Pension-I) Department, Secretariat, Chennai.



W.P.No.16991 of 2018

7. In view of the above, this Court directs the 3rd respondent to disburse the pension to the petitioner as recommended by the State Government vide proceedings dated 30.12.2020 within a period of three months from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs.

11.04.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1. The District collector,
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3. The Government of Tamil Nadu,
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W.P.No.16991 of 2018

M.DHANDAPANI,J.

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W.P.No.22608 of 2019

13.04.2023