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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 15987 of 2022

WMP Nos. 15311 & 15312 of 2022

1. S.Susila

Petitioner(s)

Vs

1. The Under Secretary to Govt. of India
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 Thiruvottiyur
Thiruvottiyur , Chennai 19

Respondent(s)



PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the record of the 1st respondent pertaining to the impugned order dated 20.04.2022 made in F.No. 52/CC/ 01/ 2020-FF/ INA and to pertaining to the order dated 06/08/2014 of the 1st respondent made in file No. 45/03/ 2014 -FF (P) in the (Annexure- R2, 1.5 Para) and quash the same and direct the 1st Respondent to provide the central government freedom fighter dependent pension to the petitioner.

For Petitioner(s): No Appearance

For Respondent(s): Mr.Rajesh Vivekananthan
Additional Solicitor General
for R1
Ms.P.Aishwarya
Government Advocate
for R2 to R5

ORDER

There is no representation on the side of the petitioner right from the year 2022 onwards. Hence, this Court has decided to deal with the present writ petition with the available materials.

2.This writ petition has been filed challenging the impugned proceedings dated 20.04.2022 of the 1st respondent and to direct the 1st respondent to

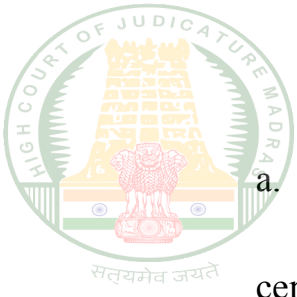


provide Central Government Freedom Fighter Dependent Pension to the petitioner.

3.Heard Mr.Rajesh Vivekanandan, learned Additional Solicitor General appearing on behalf of the 1st respondent and Ms.P.Abinaya, learned Government Advocate appearing on behalf of respondents 2 to 4.

4.The impugned order has been passed by relying upon Clause 1.5 of the revised guidelines issued under Swatantrata Sainik Samman Yojana. As per the revised guidelines, no pension can be sanctioned in the name of freedom fighters after his death, even if the matter is under examination. Useful reference can be made to the judgements of this Court in W.P.No.1281 of 2014 dated 30.08.2022 and W.P.No.13882 of 2015 dated 30.08.2022.

5.Apart from the above, the claim made by the petitioner is not sustainable for the following reasons:

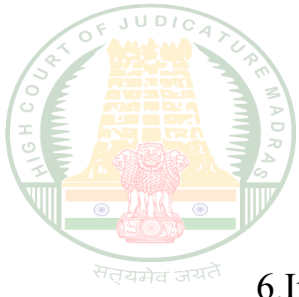


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a. The Petitioner had not submitted imprisonment/detention certificate from the concerned jail authority, District Magistrate or State Government indicating the period of sentence awarded, date of admission, date of release, facts of the case and reasons for release.

b. The Petitioner has produced Co-Prisoners Certificate wherein the certifier had undergone jail suffering of eight months whereas as per the provisions of SSS Yojana, minimum one-year jail suffering is required to become an eligible certifier. Hence, the Co-Prisoner certificate issued by Shri V. Kandasamy and Shri G. Natesan cannot be considered as a valid one.

c. The State Government while forwarding report on behalf of the Petitioner had not specifically recommended the claim which is a mandatory requirement to consider any claim of an applicant as per the provisions of SSS Yojana.



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6. In view of the above, the relief as sought for by the petitioner cannot be granted by this Court and accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

17-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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Ministry of Home Affairs, Freedom
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II, Building, Jai Singh Road, New Delhi
110 003

2.Additional Secretary
Public (Political Pension) Department ,
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3.The Collector of Chennai
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N.ANAND VENKATESH J.

SSR

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