



WEB COPY



W.P No.9526 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P No.9526 of 2014
and M.P No.1 of 2014

1.T.L.Parthasarathy (deceased)

2.L.P.Karthik

3.L.P.Bhavani

4.L.P.Parivallal

5.L.P.Vijayakumar

6.L.P.Bama

.....Petitioners

(P2 to P6 were substituted as LR's of
P1 T.L.Parthasarathy as per order dated
27.07.2018 in WMP No.22158/2018)

Vs

1.The Union of India

Rep. By The Deputy Secretary to Government
Freedom Fighter's Division
Ministry of Home Affairs
2nd Floor, New Delhi City Centre-II
Parliament Street
New Delhi-110 001

2.The State of Tamilnadu

Rep.by The Secretary to Government
Public (Political Pension-3) Department
Fort St. George
Chennai-600 009.

3.The District Collector

Tiruvallur District



W.P No.9526 of 2014

Tiruvallur.

.....Respondents

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 08.02.2014 on the file of the 1st respondent herein, quash the same and consequently direct the respondents herein to sanction freedom fighter pension to the petitioner herein.

For Petitioner : Mr.K.Govi Ganesan
For R2 & R3 : Mrs.S.Anitha
Special Government Pleader
For R1 : No Appearance

ORDER

This writ petition has been filed, challenging the impugned proceedings dated 08.02.2014 on the file of the 1st respondent herein and consequently direct the respondents herein to sanction freedom fighter pension to the petitioner herein.

2. The case of the petitioner is that the petitioner is a freedom fighter during the year 1940 to 1943. He took active participation in the freedom movement and underwent lot of physical and mental sufferings for the freedom of our country. A scheme was introduced both by the Central Government and the State Government with the object of providing grant of pension to living freedom fighters and their families and to the families of the martyrs. In order to avail the



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benefit, the petitioner applied to the Government of India on 27.09.2012 to sanction freedom fighter pension along with the required documents. The said representation was forwarded to the State Government by the Central Government on 12.10.2012 and thereafter, again it was forwarded to the 3rd respondent. The 3rd respondent called for a report from the subordinate officials. However, the 3rd respondent after conducting enquiry rejected the petitioner's request on 18.06.2013. Hence the petitioner filed a writ petition in W.P No.27798 of 2013 before this Court and this Court, by an order dated 11.11.2013 set aside the impugned order and remitted the matter again to the 1st respondent for fresh consideration. However, the 1st respondent subsequently rejected the petitioner's claim on 08.02.2014. Challenging the same, the present writ petition has been filed.

3. During the pendency of the writ petition, the original petitioner passed away and his legal heirs were impleaded. The legal heirs of the original petitioner have not established before this Court with regard to the entitlement of the legal heirs to receive the freedom fighter's pension, and no provision exists granting such entitlement to the legal heirs of a deceased freedom fighter. Therefore, even if the writ petition is allowed, there is no provision enabling the



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legal heirs to claim the freedom fighter's pension.

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M.DHANDAPANI, J.

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4. In view of the above, this writ petition stands dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

31.10.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

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To

The Deputy Secretary to Government
Freedom Fighter's Division
Ministry of Home Affairs
2nd Floor, New Delhi City Centre-II
Parliament Street
New Delhi-110 001

2. The Secretary to Government
Public (Political Pension-3) Department
Fort St. George
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3. The District Collector
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