



W.P.(MD) Nos.24501 and 24502 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) Nos.24501 and 24502 of 2023

and

W.M.P(MD)No.2257 of 2024

W.P(MD)No.24501 of 2023

1.Duraikannu

2.Thangam @ Thangammal

... Petitioners

vs.

1.The Additional Secretary to Government,
Public (Political Pension-2) Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Viruthunagar District,
Viruthunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the first respondent letter No.21214/A.O.2/2022-7 dated 28.08.2023 and quash the same and consequently direct the respondents to



W.P.(MD) Nos.24501 and 24502 of 2023

sanction the political pension for the petitioners by including the petitioners in the list of descendants of Maruthu Pandiyar Brothers.

W.P(MD)No.24502 of 2023

1.Kesavan
2.Rajangam
3.Narayanan

... Petitioners

vs.

1.The Additional Secretary to Government,
Public (Political Pension-2) Department,
Secretariat,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the first respondent letter No.21217/A.O.2/2022-7 dated 31.08.2023 and quash the same and consequently direct the respondents to sanction the political pension for the petitioners by including the petitioners in the list of descendants of Maruthu Pandiyar Brothers.



W.P.(MD) Nos.24501 and 24502 of 2023

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In both petitions:

For Petitioners : Mr.C.Jeganathan

For Respondents : Mr.M.Ajmalkhan
Additional Advocate General
Assisted by Mr.M.Lingadurai
Special Government Pleader

COMMON ORDER

The petitioners, in these writ petitions, challenge the impugned orders passed by the first respondent in letter Nos.21214/A.O.2/2022-7 and 21217/A.O. 2/2022-7, dated 28.08.2023 and 31.08.2023, rejecting the claim of the petitioners for political pension.

2.Heard the learned counsel on either side and also perused the records.

3.The learned Additional Advocate General appearing for the respondents would fairly submit that the order of this Court in W.P(MD)Nos.4001 and 3956 of 2016, dated 15.03.2023 has not been followed by the authorities in true letter and spirit and therefore, he would seek for the matter being remitted to the first



W.P.(MD) Nos.24501 and 24502 of 2023

WEB COPY respondent for fresh consideration of the application of the petitioners, after giving an opportunity to the petitioners.

4.The learned counsel for the petitioners submits that despite the specific directions of this Court in W.P(MD)Nos.4001 and 3956 of 2016, dated 15.03.2023, the authorities have blindly passed the order and therefore, he would seek for positive directions to be issued in these writ petitions.

5.I have carefully considered the submissions advanced by the learned counsel on either side.

6.Taking into account the fact that despite clear directions issued by this Court in W.P.(MD)Nos.4001 and 3956 of 2016, dated 15.03.2023, following the ratio laid down by this Court in W.P(MD)No.1271 of 2018 that political pension can be granted to even persons whose names were not included in the annexure to G.O.Ms.No.1143, the authorities have not considered any of the directions issued by this Court. Therefore, there is a clear non-application of mind on the part of the respondents and as rightly contended by the learned Additional Advocate



W.P.(MD) Nos.24501 and 24502 of 2023

WEB COPY

General, the status of the petitioners regarding the entitlement to political pension otherwise would have to be decided only by the authorities. Hence, I am in agreement with the arguments of the learned Additional Advocate General, the impugned orders, dated 28.08.2023 and 31.08.2023, are set aside and the matter is remitted to the first respondent for fresh consideration of the petitioners' application for issuance of political pension, keeping in mind the directions issued by this Court in W.P.(MD)No.1271 of 2018, dated 11.09.2020 and W.P.(MD)Nos.4001 and 3956 of 2016, dated 15.03.2023 and also afford an opportunity of personal hearing to the respective petitioners and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order.

7. Accordingly, these Writ Petitions are allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

06.03.2025

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NCC: Yes/No

Index : Yes / No

Internet : Yes / No



WEB COPY



W.P.(MD) Nos.24501 and 24502 of 2023

P.B.BALAJI, J.

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To

- 1.The Additional Secretary to Government,
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Chennai-600 009.
- 2.The District Collector,
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W.P.(MD) Nos.24501 and 24502 of 2023

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