

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF OCTOBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE SRI JUSTICE N.V. RAMANA**

**WRIT PETITION NO.21948 of 1995**

Between:

All India Freedom Fighters Samithi, rep. by its Joint Secretary,  
Shri T. Appa Rao, r/o Annapurna Niwas, Sreenagar, 2nd Street ,  
Satyanarayanapuram, Vijayawada.

**..... PETITIONER**

AND

- 1 Government of Andhra Pradesh, rep by its Secretary,  
Revenue (W.F Staff I) Dept., Secretariat Buildings,  
Hyderabad.
- 2 The District Collector,  
Machilipatnam , krishna District.
- 3 The Mandal Revenue Officer,  
Vijayawada Urban, krishna Dist.

**....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondent no.1 in not sanctioning the pension by calling of the applications and recommendations of the 3rd respondent for sanction of freedom fighters pension from the 2nd respondents as illegal, arbitrary and violative of Articles 14 & 16 of Constitution of India and consequently direct the 1st respondent to sanction the freedom fighters pension to all the eligible freedom fighters whose names are recommended by the 3rd respondent forthwith.

**Counsel for the Petitioner: MR.J.M.NAIDU**

**Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE**

**The Court made the following :**

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**ORDER:**

The petitioner-Freedom Fighters Samithi seeks to direct the 1<sup>st</sup> respondent-State Government to sanction the freedom fighters pension to all the eligible freedom fighters whose names are recommended by the 3<sup>rd</sup> respondent-Mandal Revenue Officer, Vijayawada (Urban) forthwith.

The case of the petitioner-Samithi as can be seen from the affidavit filed in support of the writ petition in brief is that nearly 28 members, who participated in Quit India Movement in the year 1942, have submitted their applications to the first respondent-Government in the year 1993 for grant of freedom fighters pension and the first respondent has directed the 2<sup>nd</sup> respondent-District Collector, Krishna, Machilipatnam to conduct a detailed enquiry into the matter and submit a report and the 2<sup>nd</sup> respondent in turn has directed the 3<sup>rd</sup> respondent to conduct an enquiry into the genuineness of the claims of the individuals and submit his recommendations. In pursuance thereof, the 3<sup>rd</sup> respondent after conducting a detailed enquiry has submitted his recommendations to the 2<sup>nd</sup> respondent for sanction of freedom fighters pension to all the applicants. The grievance of the petitioner-samithi is that in spite of receipt of recommendations from the 3<sup>rd</sup> respondent in the month of August, 1994, the 2<sup>nd</sup> respondent did not forward the applications along with recommendation report to the 1<sup>st</sup> respondent for sanction of freedom fighters pension. It is also stated that the petitioner samithi has made several representations to respondents 1 and 2 and no action was taken there on. Hence, this writ petition.

A counter-affidavit is filed by the respondents in the year 1996 admitting the fact that the 3<sup>rd</sup> respondent after a detailed enquiry has recommended for sanction of freedom fighters pension to all the applicants of petitioner-Samithi and the same is still pending before the 1<sup>st</sup> respondent for consideration and for passing appropriate orders.

Heard the learned counsel for the petitioner and learned Government Pleader for Revenue.

The main grievance of the petitioner-Samithi is that though the respondents 2 and 3 after a detailed enquiry have submitted their recommendations to the 1<sup>st</sup> respondent for sanction of freedom fighters pension to all the applicants in the month of August, 1994, the 1<sup>st</sup> respondent did not take any action in the matter so far.

Having regard to the circumstances of the case and admission made by the respondents about recommendations made by the respondents 2 and 3 and pendency of the case before the first respondent, the writ petition is disposed of directing the first respondent to pass appropriate orders in the matter in accordance with law expeditiously, if not already passed.

Subject to above observation, the writ petition is disposed of. No costs.

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**(N.V. RAMANA, J)**

Date: 29.10.2004

Nsr/Tvk

To

- 1 The Secretary, Revenue (W.F Staff I) Dept., Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
- 2 The District Collector, Machilipatnam , krishna District.
- 3 The Mandal Revenue Officer, Vijayawada Urban, krishna Dist.

4 Two CCs to G.P for Revenue, High Court Buildings, Hyderabad (OUT)

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