

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11441 of 2015

1. M.Krishnan
2. M.Vadivel

.. Petitioners

- Vs -

1. Government of Tamilnadu,
Rep. by the Chief Secretary to Government,
Secretariat, Chennai - 600 004.
2. The District Collector,
Dharmapuri District,
Dharmapuri.
3. The Special Tahsildar (DRS),
Palacode Taluk, Palacode,
Dharmapuri District.

.. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to grant appropriate compensation and relief to the petitioner's for the death of their children on 08.06.2014 in the pond in Osahalli lake by Drowning and pass orders within a time frame.

Petitioners : Mr.V.Thirupathi

For Respondents : Mr.V.Subbiah

Special Government Pleader

O R D E R

By consent, the writ petition is take up for final disposal.

2. The first petitioner would state that he had one minor daughter aged 7 years and one minor son aged 5 years and the second petitioner had a minor son aged 5 years and minor daughter aged 4 years and all the children are studying in school. The first petitioner would further state that while the children were playing near a pond on 08.06.2014, at about 4.00 p.m. there was rain and strangely the earth gave in and all the children drown in the pond and died. In this regard, in Karimangalam Police Station FIR has been registered in Crime No.137/2014 under Section 174 Cr.P.C. Post-

mortem was also conducted, wherein it has been opined that the four children died due to asphyxia due to drowning. The first petitioner would further state that his wife and the second respondent's wife had undergone family planning surgery and hence there is no possibility of getting any children. The first petitioner further submits that he submitted a representation 09.07.2014 to the second respondent praying for appropriate compensation and since he has not been favoured with any response he along with the second petitioner has come up with this writ petition.

3. Heard the submissions of Mr.V.Thirupathi, learned counsel appearing for the petitioners and Mr.V.Subbiah, learned Special Government Pleader accepts notice for the respondents 1 to 3.

4. Though the petitioners prays for larger relief, in the facts and circumstances of this case, it would be suffice to direct the second respondent to consider and dispose of the representation of the petitioners dated 09.07.2014 and pass orders in accordance with law, as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Secretary to Government of Tamil Nadu,
Secretariat, Chennai - 600 004.
2. The District Collector,
Dharmapuri District,
Dharmapuri.
3. The Special Tahsildar (DRS),
Palacode Taluk, Palacode,
Dharmapuri District.

+ 1 cc to Mr.V. Thirupathi, Advocate SR.21428

+ 1 cc Government Pleader Sr.21498

GJ(CO)
EU 19.05.2015

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