

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2015

CORAM :

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11817 of 2015

K.Subramanian

...Petitioner

Vs

1.The Chief Minister Special Cell
Secretariat, St.George Fort,
Chennai - 600 009.

2.The District Collector,
Tiruchirapalli District.

3.The Tahsildar,
Mannachanallur,
Thiruchirapalli District.

4.The Block Development Officer,
Mannachanallur,
Thiruchirapalli District.

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to give compensation to the petitioner for the death of his son namely Harish Kumar, based on the representation dated 09.03.2015.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.V.Subbiah
Special Government Pleader

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O R D E R

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

2. The son of the petitioner, viz., Harish Kumar, who was studying in 3rd standard at Ganesh Ram Manya Primary School, died when the compound wall along with the grill gate fallen on him. The

third respondent vide letter in Na.Ka.A1-335-2014, dated 30.01.2014 made a positive recommendation to the second respondent to pay compensation to the petitioner, who is the father of the deceased Harish Kumar. The petitioner, in this regard, has also submitted a representation, dated 09.03.2015 to the Hon'ble Chief Minister's Grievance Cell and since he has not been favoured with any response, came forward with this writ petition.

3. Heard the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for respondents 2 to 4.

4. The third respondent has made a positive recommendation on 30.01.2014 recommending payment of compensation to the petitioner and though nearly 15 months had elapsed, the second respondent did not take any action, for the reasons best known to him. It is also pertinent to point out at this juncture that the petitioner has also submitted a representation dated 09.03.2015 to the Hon'ble Chief Minister's Grievance cell with copies marked to respondents 2 to 4. In spite of that, the second respondent has not taken any action to pay the compensation to the petitioner as per the recommendation made by the third respondent.

5. In the result, the writ petition is disposed of, directing the second respondent to take into consideration the recommendation made by the third respondent, dated 30.01.2014 and pass orders as to the payment of compensation to the petitioner, as expeditiously as possible and not later than two weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1.The Chief Minister Special Cell
Secretariat, St.George Fort,
Chennai - 600 009.

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2.The District Collector,
Tiruchirapalli District.

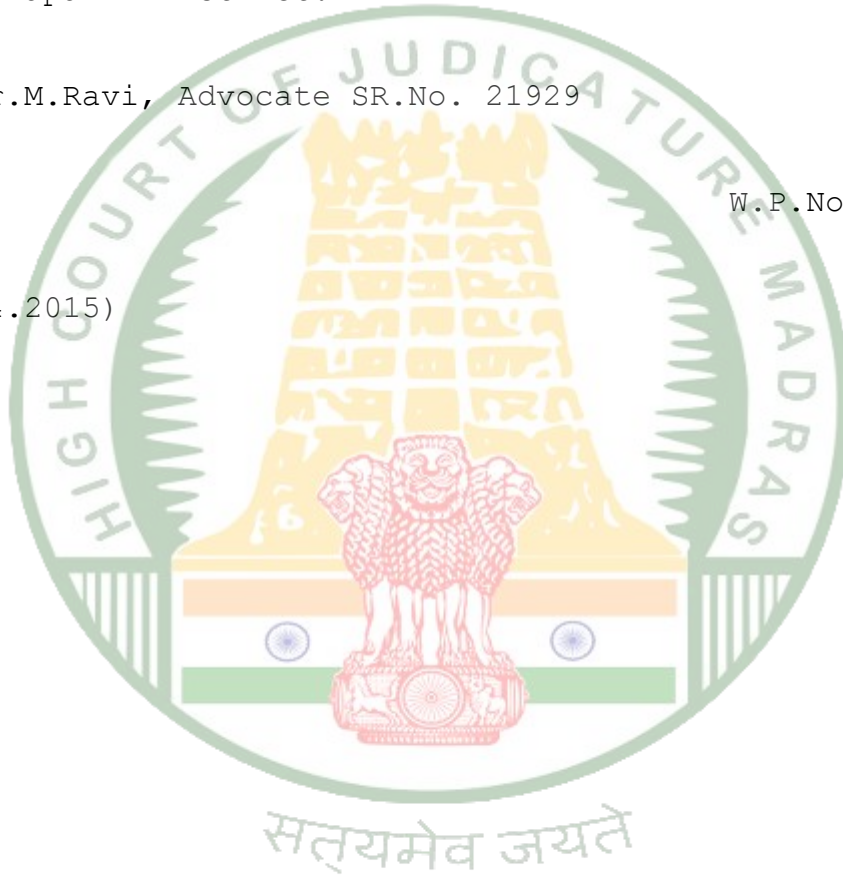
3.The Tahsildar,
Mannachanallur,
Thiruchirapalli District.

4.The Block Development Officer,
Mannachanallur,
Thiruchirapalli District.

1 CC to Mr.M.Ravi, Advocate SR.No. 21929

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UG (CO)
PSI (27.04.2015)



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