

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13167 of 2015

C.Kumar
S/o.Chinnanan

...Petitioner

-Vs-

1.The Government of Tamil Nadu
represented by its
Principal Secretary,
Revenue Department,
Fort St.George,
Chennai - 600 009.

2.The District Collector,
Salem District,
Salem.

3.The Special Deputy Collector,
Social Security Scheme (SSS),
Office of the District Collectorate,
Salem - 636 001.

4.The Special Tahsildar,
Social Security Scheme (SSS),
Omalur Taluk,
Omalur, Salem District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to disburse the accident compensation to the petitioner under the scheme in G.O.839 dated 22.12.2006 and its modified in G.O.Ms.No.265 dated 10.09.2011 within stipulated time.

For Petitioner : Mr.M.R.Jothimanian
For Respondents : Mr.S.Pattabiraman,
Government Advocate [R1 & R2]

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. Petitioner claims to be a member of Tamil Nadu Agricultural Labourers - Farmers Scheme - 2006, now known as "Amma Scheme". According to the petitioner, on 28.05.2008, he met with an accident and his right leg was amputated. The petitioner has obtained necessary certificates and also lodged FIR on the file of the jurisdictional police. The petitioner, on the basis of the identification card bearing registration No.SLM/FP 100/0312, submitted an application on 22.07.2013 for disbursement of compensation as per the said scheme to the fourth respondent and since he has not been favoured with any response, came forward with the present Writ Petition.

3. Heard the submissions made by Mr.M.R.Jothimanian, learned counsel for the petitioner and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for respondents 1 and 2.

4. It is submission of the learned counsel for the petitioner that the fourth respondent, after enquiry, is under obligation to forward the application to the third respondent, who in turn forward recommendation to the first respondent. Since this process may result in some delay, prays for appropriate orders.

5. This Court, in the light of the facts and circumstances, directs the fourth respondent to process the application dated 22.07.2013 in accordance with G.O.Ms.No.839 Revenue (LR.I(2)) Department dated 22.12.2006 as well as G.O.Ms.No.265 Revenue (LR.I (2)) Department dated 10.09.2011 and forward his recommendation to the third respondent within a period of four weeks from the date of receipt of a copy of this order. The third respondent, in turn, is directed to make appropriate recommendation, based on the representation submitted by the fourth respondent, to the first respondent within a period of four weeks thereafter. The first respondent, on receipt of the same, is directed to consider and pass orders in accordance with law within a period of four weeks thereafter and communicate the decision to the petitioner.

Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The Principal Secretary,
Revenue Department,
Fort St.George,
Chennai - 600 009.
- 2.The District Collector,
Salem District,
Salem.
- 3.The Special Deputy Collector,
Social Security Scheme (SSS),
Office of the District Collectorate,
Salem - 636 001.
- 4.The Special Tahsildar,
Social Security Scheme (SSS),
Omalur Taluk,
Omalur, Salem District.

1 cc to Mr. M.R.Jothimanian, Advocate, SR.No.23944
1 cc to Government Pleader, Sr.No24255

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