

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2015

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The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.1698 of 2015

D.Ashok Kumar

.. Petitioner

-vs-

- 1.State of Tamil Nadu,
rep. by its Secetary to Government,
Home Department,
Fort St. George,
Chennai-600 009.
 - 2.The Director General of Police,
Mylapore,
Chennai-600 004.
 - 3.The District Cuddalore,
Cuddalore District,
Cuddalore.
 - 4.The Superintendent of Police,
Cuddalore District,
Cuddalore.
 - 5.The Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
- .. Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing (i) the third respondent to provide temporary shelter, water, utensils, food, medical aid and psychological counseling as per the SC and ST (Prevention of Atrocities) Rules; (ii) the third respondent to make arrangements for issuing Ration Cards, Voter I.Ds., Birth Certificates, Pattas and Educational Certificates, which were burnt in the fire that destroyed their huts; (iii) the first respondent to constitute a Committee comprising of Senior officers with the aptitude as prescribed in Rule 13 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 to get assessed the damages and loss of property of the victims and disburse the amount for loss and damages as per the SC and ST (Prevention of Atrocities) Rules, 1995; (iv) the third respondent to arrange for construction new houses to the victims who lost their huts in the atrocities as per Relief Sl.No.22 in Annexure I in Schedule to the SC

and ST (Prevention of Atrocities) Rules, 1995 and (v) the third respondent to disburse the relief amount to the injured one Rajapandiyan as per Relief Sl.No.17 in Annexure I in Schedule to the SC and ST (Prevention of Atrocities) Rules, 1995.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.STS.Moorthy
Government Pleader for RR1 to RR5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

We have perused the status report filed by the third respondent. The unfortunate incident is the result of dispute between the members of Scheduled Caste community and Vanniyar community. What is unfortunate to note is, despite the socio-economic backwardness, communities are fighting among themselves rather than seeking their education and empowerment. In the process, one person suffered even burn injury and was admitted in Neyveli Lignite Corporation Hospital, Neyveli Township.

2. The District Collector, Cuddalore and the Superintendent of Police, Cuddalore have rushed to the spot and took immediate action to provide immediate relief to the affected persons and food was provided to them. The other steps taken for rehabilitation of the victims' families are enumerated as under:-

"1) Temporary shelters (Thatched Roof) were arranged for the affected persons by the District Administration.

2) Food was provided for the affected persons for a period of 10 days from the date of incidence.

3) Action is being taken by the District Administration to issue Voters ID and Ration Cards burnt in fire and the same would be issued shortly. Tahsildar, Vridhachalam has issued authorization certificate to the affected persons which would enable them to get their duplicate Birth Certificates, educational and other certificates.

4) For all the damaged houses, New Cement Concrete houses have been sanctioned under Indra Gandhi Awas Yojana Special Scheme. Construction of 2 houses has almost been completed and construction of other houses are in progress.

5) District Administration has offered the construction work to the affected persons themselves there by enabling them to benefit under NRGPA scheme which would provide them livelihood."

3. Learned counsel for the petitioner submits that he is satisfied with the aforesaid steps, but what is required is that the concerned person to ensure the completion of the task at an early date.

4. Insofar as the criminal investigation is concerned, it is stated that chargesheet has been filed. However, as per the recommendation of the Superintendent of Police, Cuddalore (dated 16.2.2015), which has been accepted, a sum of Rs.1,80,000/- each has been sanctioned to six families.

5. In view of the aforesaid, the additional submission made by the learned counsel for the petitioner is that qua the person Rajapandiyan, who had suffered grievous injuries, compensation for the injuries was determined as Rs.1,80,000/-, which is lower bench mark. We call upon the concerned authorities to look into this matter expeditiously and take a decision keeping in mind the nature of injuries suffered.

6. We hope that the authorities will continue to act promptly and whatever the remaining action required to be done for rehabilitation, would be completed expeditiously to the sufferers.

7. The learned counsel for the petitioner appreciate the prompt action taken by the State Government, which we place on record.

8. Writ petition is closed with the aforesaid directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secetary to Government,
Home Department,
Fort St. George,
Chennai-600 009.
- 2.The Director General of Police,
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Chennai-600 004.
- 3.The District Cuddalore,
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- 4.The Superintendent of Police,
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Cuddalore.
- 5.The Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.

+ 2 ccs to Mr.S. Sathia Chandran, Advocate Sr.9613
+ 1 cc to Government pleader Sr.9856

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KGK(CO)
Eu 03.03.15



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