

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.27001 of 2015

R.Balaji

... Petitioner

-Vs-

1. Union of India,
rep by its Secretary,
Ministry of Finance,
Department of Revenue,
No.137, North Block, New Delhi.
2. The Chairman,
Port Trust of India, Port Trust,
Chennai 600 001.
3. The State of Tamil Nadu
rep by its Secretary to State,
Department of Fisheries,
Fort St.George, Chennai.
4. The District Collector,
Collector's Office,
Ma Singaravelar Maligai,
Chennai.
5. The Special Commissioner,
Commissioner of Revenue Administration (SC & CRA)
Chepauk, Chennai-600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider Financial Assistance/Compensation for the loss incurred to the petitioner for the damage caused to his boat M.L.Mangala due to Tsunami High Tide waves on 26.12.2004 in a sympathetic view of the petitioner representations dated 02.04.2015 and 03.06.2015.

For Petitioner : Mr.J.Ashok

For Respondents : Mr.S.V.Duraisolaimalai,
Additional Government Pleader (R3 to R5)

O R D E R

It is seen that the petitioner's boat is said to have been damaged in Tsunami. Earlier the petitioner made requests for compensation under the Government Order passed in G.O.Ms.No.48, Revenue (NC.III) Department dated 29.01.2005. The petitioner could not succeed either before the respondent or before this Court as his case was not covered under the said Government Order. Thereafter, the petitioner made representations stating that he is entitled for the relief under the Calamity Relief Fund. As the said representation made by the petitioner has not been considered, the present Writ Petition has been filed.

2.Though the request of the petitioner was rejected earlier by this Court as confirmed by the Division Bench, the present request was not the subject matter. Thus, the question of entitlement of the petitioner is to be considered by the respondent No.4. Thus, without going into the merits of the case, a direction is issued to the respondent no.4 to pass appropriate orders on the pending representation of the petitioner dated 03.06.2015. But as the said representation is sent to the respondent no.3, the petitioner is permitted to give a fresh representation to the respondent no.4 within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent no.4 will have to pass appropriate orders within a period of six weeks thereafter.

3. The Writ Petition is disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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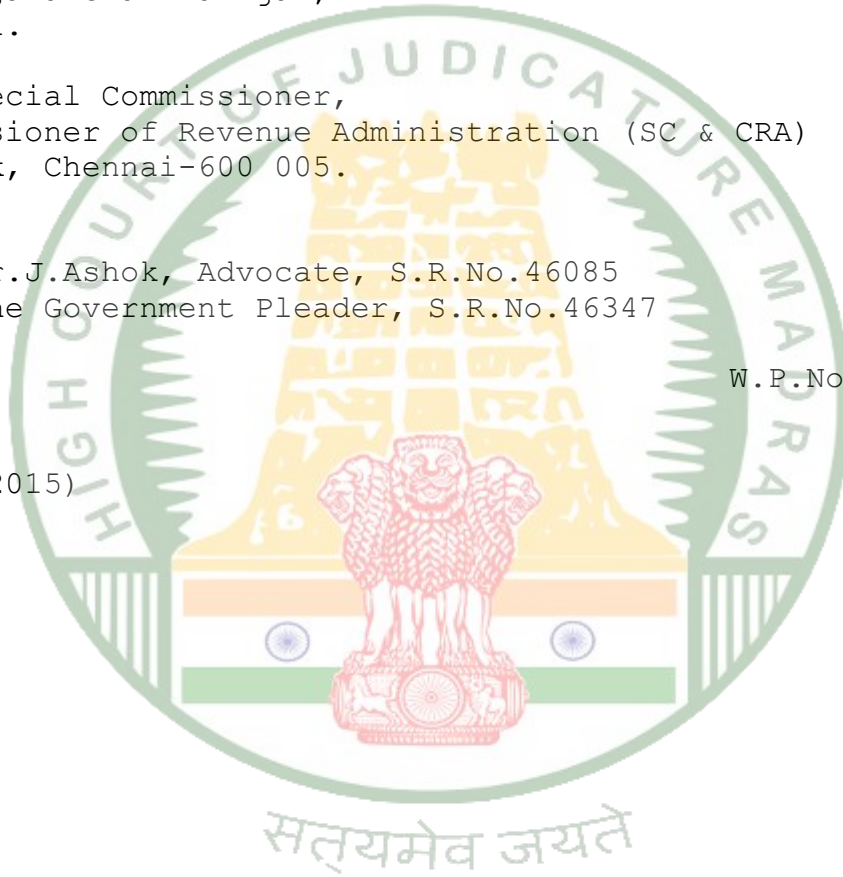
1. The Secretary, Union of India,
Ministry of Finance,
Department of Revenue,
No.137, North Block, New Delhi.

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Chepauk, Chennai-600 005.

+1cc to Mr.J.Ashok, Advocate, S.R.No.46085
+1cc to the Government Pleader, S.R.No.46347

W.P.No.27001 of 2015

VD(CO)
CA(09/09/2015)



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