



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P(MD)No.17703 of 2014

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Amul

: Petitioner

Vs.

1.The District Legal Services Authority,
rep.by the Administrative Assistant,
District Court Complex, Karur, Karur District.

2.The Superintendent of Police,
District Superintendent of Police Office,
Karur, Karur District.

3.The Inspector of Police,
Thogamalai Police Station,
Kulithalai Taluk, Karur District.

4.Navamani.

: Respondents

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the 1st respondent to consider the petitioner's claim petition preferred Petition no.109/2014-Letter No.400/14 dated 10.9.2014 now pending on the file of the said 1st respondent to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs) towards loss of life and also for a direction directing the 1st respondent to pay a sum of Rs.2,000 (Rupees two thousand only) towards funeral expenses as prescribed in the appendix of the Tamil Nadu Victim Compensation Scheme 2013.

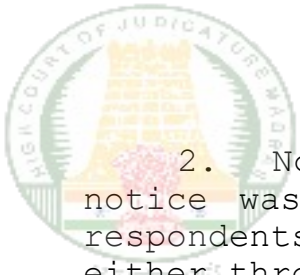
For Petitioner : Mr.P.Vairava Sundaram

For R.1 to 3 : Mr.M.Murugan,
Govt.Advocate

For R.4 : No appearance

O R D E R

The petitioner has come forward with this Writ Petition seeking a Writ of Mandamus to direct the 1st respondent to consider the petitioner's claim petition No.109/2014-Letter No.400/14 dated 10.9.2014 now pending on the file of the first respondent to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs) towards loss of life and also for a direction directing the 1st respondent to pay a sum of Rs.2,000 (Rupees two thousand only) towards funeral expenses as prescribed in the appendix of the Tamil Nadu Victim Compensation Scheme 2013.



2. Notice was ordered by this Court on 03.11.2014 and private notice was also permitted. Though notice was served to all the respondents, yet the fourth respondent did not choose to appear either through his counsel or in person.

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3. The case of the Writ Petitioner is that the petitioner's son was employed by the fourth respondent herein. During the course of employment, he has lost his son. In this connection, a case in Crime No.84 of 2014 dated 16.04.2014 came to be lodged by the petitioner as against the fourth respondent herein. However, so far, the respondent police has not filed the final report. In the mean while, the petitioner sought necessary compensation from the fourth respondent through his legal notice dated 23.08.2014, for which, he has not replied so far. Under such circumstances, the petitioner has preferred the claim for compensation from the Government under the Tamil Nadu Victim Compensation Scheme through his petition dated 10.09.2014 and the same is also pending consideration on the file of the first respondent resulting in filing the present Writ Petition.

4. The learned Counsel for the petitioner would submit that inspite of the fact that the Government formulated a Scheme, like the case on hand, still the petitioner has not been paid any amount under the Tamil Nadu Victim Compensation Scheme.

5. The Govt. Advocate was put on notice. He would submit that the petitioner's claim petition if it is otherwise in order would be considered by the respondents.

6. In view of the above, without going into the merits of the claim made by the petitioner in this Writ Petition, the first respondent is directed to consider the petitioner's claim petition dated 10.09.2014, on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar



To

1.The Administrative Assistant,
The District Legal Services Authority,
District Court Complex, Karur, Karur District.

2.The Superintendent of Police,
District Superintendent of Police Office,
Karur, Karur District.

3.The Inspector of Police,
Thogamalai Police Station,
Kulithalai Taluk, Karur District.

+1 CC TO MR.P.VAIRAVA SUNDARAM, ADVOCATE IN SR.NO.37545

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 38077

Ssm

te:24/07/2015:3p/6c

ORDER MADE IN
W.P (MD) No.17703 of 2014
09.07.2015