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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2015

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THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

W.P (MD) .No. 6611 of 2015

A.P.Thangavelu

... Petitioner

Vs.

1.The Chief Minister's Secretary(Public Department),
Secretariat,
Chennai - 600 009.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Special Tahsildar,
Social Welfare Schemes,
Mudhukulathur Taluk,
Ramanathapuram District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the first respondent to pass necessary orders based on the recommendation proceedings issued by the second respondent in Na.Ka.R1/52479/2012, dated 30.10.2012 by providing compensation under the Chief Minister Relief Fund to the death of the petitioner's son Rajkapur Bharane Maharaja on 09.04.2011 within the time limit stipulated by this Court.

For petitioner : Mr.D.Selvanayagam

For respondents : Mr.S.Kumar,
Additional Government Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to pass necessary orders based on the recommendation proceedings issued by the second respondent in Na.Ka.R1/52479/2012, dated 30.10.2012 by providing compensation under the Chief Minister Relief Fund to the death of the petitioner's son Rajkapur Bharane Maharaja on 09.04.2011 within a stipulated time.



2. The case of the petitioner is that the petitioner belongs to scheduled caste community and he is doing agricultural work and hardly earning Rs.24,000/- per annum. The petitioner have two sons and one daughter. His second son by name Rajkapur Bharane Maharaja got admission under the Government quota in Ganapathy Chettiar Engineering College, Paramakudi in B.E(Mechanical Engineering). The son of the petitioner was staying in the college hostel and on 09.04.2011 at about 3.30 p.m., he along with his friend namely Kalaiselvan went away from the college campus to nearby pond (Oorani) for taking bath. But both of them dead due to drowning in the water. For that, a case in Crime No.36 of 2011 was registered by Paramakudi Taluk Police Station under Section 174 of Cr.P.C. Thereafter, the petitioner made a representation on 27.08.2012 to the Tamil Nadu Chief Minister Cell seeking compensation. The third respondent recommended the same to the second respondent and in turn, the second respondent, recommended the case of the petitioner to the first respondent vide letter, dated 30.10.2012. The same was not considered so far. Hence, the petitioner has come forward with the Writ Petition for the above stated relief.

3. A counter affidavit has been filed by the third respondent stating that the third respondent sent a memorandum to the petitioner in Roc.A4/16658/2011, dated 30.12.2011 to produce certain documents in original and duplicate.

4. Therefore, the learned Additional Government Pleader submitted that if the petitioner produced the relevant documents before the third respondent, the same would be forwarded to the Government for consideration.

5. In view of the same, the petitioner is directed to produce the documents as sought for by the third respondent vide memo dated 30.12.2011, along with a copy of this order, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to forward the same to the first respondent for appropriate orders within a period of two weeks thereafter to provide compensation to the petitioner.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (R)

/True Copy/

Sub Assistant Registrar



To

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- 1.The Chief Minister's Secretary(Public Department),
Secretariat, Chennai - 600 009.
- 2.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The Special Tahsildar,
Social Welfare Schemes,
Mudhukulathur Taluk,
Ramanathapuram District.

+1cc to Mr.D.Selvanayagam, Advocate Sr.No.53168

+1cc to The Special Government Pleader Sr.No.53340

akm/15.09.2015 /3p-5c/

W.P (MD) .No.6611 of 2015
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