

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13109 of 2016

V.Jayaraman

... Petitioner

Vs.

1 Government of Tamilnadu
Rep. by its Secretary to Government
Revenue Department
Fort St. George
Chennai-600 009

2 The District Collector
Cuddalore District,
Cuddalore

3 Tahsildar
Virudhachalam Taluk,
Virudhachalam

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to give compensation to the petitioner for the death of his handicapped daughter Santhi who died due to the flood on 09.11.2016 as announced by the Government of Tamil Nadu on the basis of the petitioner's petition dated 14.12.15 within a stipulated time fixed by this Honourable court.

For Petitioner : Mr.J.Antony Jesus

For Respondents : Mr.M.Dig Vijay Pandian
Additional Government Pleader

O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus, directing the respondents to give compensation to the petitioner for the death of his handicapped daughter Santhi, who died due to the flood occurred on 09.11.2016, as announced by the Government of Tamil Nadu on the basis of his petition dated 14.12.15, within a time frame.

2. The case of the petitioner is that he had a physically handicapped daughter, by name Santhi, aged 32 years and she was not married and was residing along with him. On 9.11.2015, due to the heavy rain, the petitioner's house collapsed, in which his daughter Santhi was staying and she died on the same day. Due to stagnation of water to the waist level in the cremation ground, the petitioner buried her body in the garden of his house, as per the advice given by the Village Assistant. Subsequently, he came to know that the Government of Tamil Nadu announced flood relief of Rs.4 Lakhs to the family of the people, who died in the flood in Cuddalore District. He submitted a petition dated 14.12.15 to the second respondent. In this regard, the third respondent-Tahsildar sent a communication dated 20.1.2016 to the Inspector of Police, Kammapuram, seeking a report on the death of his daughter. Thereafter, no action is taken. Hence, the petitioner wanted to invoke the jurisdiction of this Court by filing this writ petition.

3. Heard the learned counsel for the petitioner and Mr.M.Dig Vijay Pandian, learned Additional Government Pleader appearing on behalf of the respondents.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondents to consider the representation of the petitioner dated 14.12.2015, by affording an opportunity of personal hearing to the petitioner as well as the necessary parties, if any, and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the claim made by the petitioner and it is for the respondents to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ajr

To

1 The Secretary to Government
Government of Tamilnadu
Revenue Department
Fort St. George
Chennai-600 009

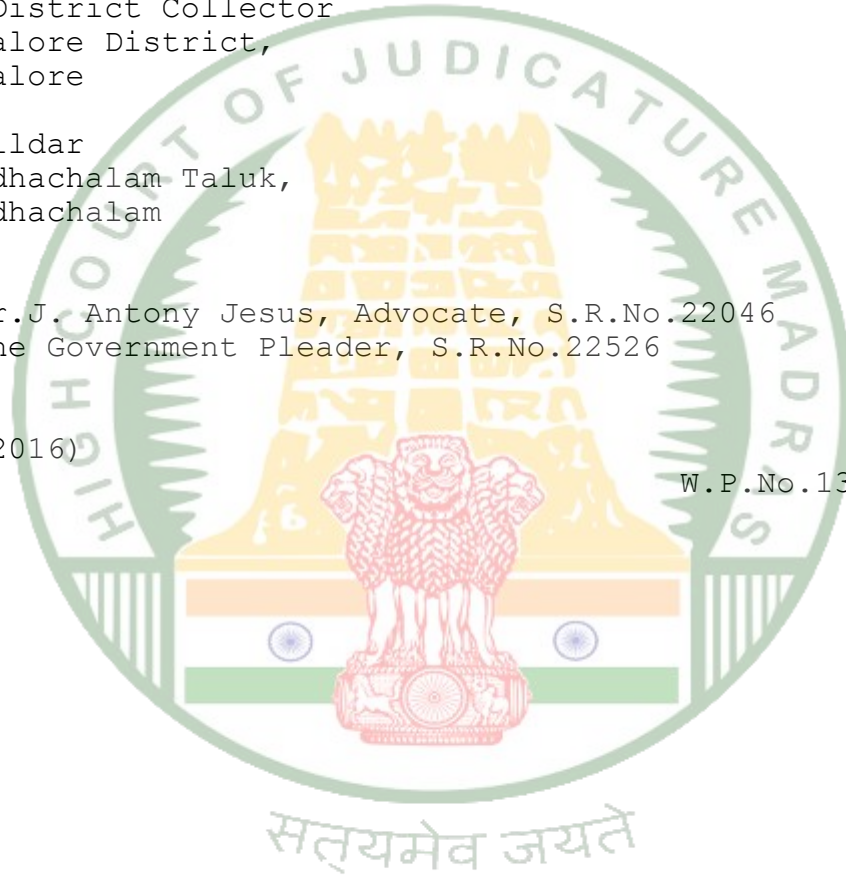
2 The District Collector
Cuddalore District,
Cuddalore

3 Tahsildar
Virudhachalam Taluk,
Virudhachalam

+1cc to Mr.J. Antony Jesus, Advocate, S.R.No.22046
+1cc to the Government Pleader, S.R.No.22526

KGK(CO)
EU(29/04/2016)

W.P.No.13109 of 2016



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