

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.14641 of 2016

Mrs. V. Mageshwari

... Petitioner

Vs.

1. The District Collector
Dharmapuri District
Dharmapuri
2. The Revenue Divisional Officer
Revenue Divisional Office
Dharmapuri
3. The Special Thasildar
Palakkodu Taluk
Palakkodu
Dharmapuri District

... 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 consider the representation of the petitioner dated 11.03.2016.

For Petitioner : Mr.H.B.Saravana Kumar

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

सत्यमेव जयते
O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 11.03.2016 and sanction the relief fund under the Tamil Nadu Chief Minister Farmer Protection Scheme.

(2.1) The petitioner Mrs.V.Mageshwari has married one Mr.Venkitachalam. Two sons were born to the petitioner through her lawful wedlock with Mr.Venkitachalam. The petitioner is residing at Door No.3, Nariyanahalli Village, Kethanahalli Post, Palakkodu Taluk, Dharmapuri District. Her mother-in-law, aged

52 years is also residing with her. Her husband was working as a Driver and got a valid licence. They are eking out their livelihood from the earning of her husband.

(2.2) On 18.8.2015, while her husband was working as a cleaner in a lorry bearing Reg.No.TN 29as-6153, loaded with vegetables, the lorry met with an accident, due to which he was thrown out of the lorry and he succumbed to injuries. A case was registered in Crime No.1066 of 2015 on the file of Yeror Police Station for the offences punishable under sections 279, 304(A) IPC. Due to the death of her husband, she and her family members lost the bread winner of the family and they are put to great hardship, agony and inconvenience.

(2.3) The Government of Tamil Nadu passed a G.O.(Ms.) No.265, Revenue, (LR-I)(2)) Department dated 10.9.2011 introducing certain benefits to the family members of the agricultural persons, who died or injured in an accident, under the Tamil Nadu Chief Minister Farmer Protection Schem (Uzhavar Padhukappu Thittam). According to the petitioner, the petitioner is entitled to avail the benefits under the said scheme. Therefore, she made a representation dated 11.3.2016 to the respondents to get the benefits. As she has not received any reply, she is constrained to file this writ petition.

3. Heard the learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special 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 11.3.2016 and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, within a period of six 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.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ajr

To

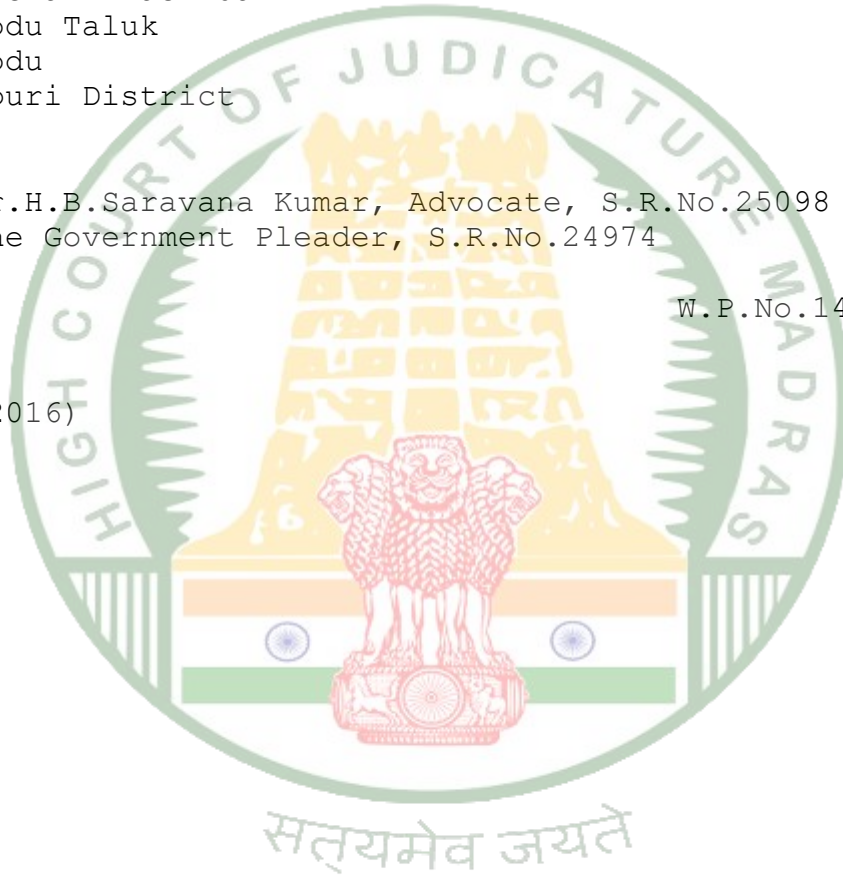
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+lcc to Mr.H.B.Saravana Kumar, Advocate, S.R.No.25098

+lcc to the Government Pleader, S.R.No.24974

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PVS (CO)
CA (26/05/2016)



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