

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.08.2016

Coram:

The Honourable **Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE**

and

The Honourable Mr.Justice **R.MAHADEVAN**

W.P.No.27121 of 2016

Sonia Glory

... Petitioner

Versus

1.The Chief Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.

2.The Secretary to Government,
Home Department,
Government of Tamilnadu,
Fort St.George,
Chennai.

3.The Secretary to Government
Law Department,
Government of Tamil Nadu,
Fort St.George,
Chennai 600009.

4.The Commissioner of Police
Chennai City, Poonamallee High Road,

Chennai.

5.The Chairman,
State Legal Services Authority,
High Court, Chennai 600 104.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, to direct the respondents to frame Victim Compensation Scheme in the State of Tamil Nadu exercising the powers under Section 357-A of Criminal Procedure Code in accordance with Act 5 of 2009 came into effect on 31.12.2009.

For Petitioner :: Mr.P.Bagyalakshmi

For Respondents :: Mr.M.K.Subramanian

Government Pleader

ORDER

(The Order of the Court was made by The Hon'ble The Chief Justice)

The matter was taken up on 04.08.2016 when we observed that the Government Order has already been issued, but apparently notification bringing the Government Order into force had not been issued. The petitioner made a categorical assertion in the petition that they have not been notified.

Since the issue was only of notifying the same, we had observed to the effect that the notification be issued. However, before the order could be signed, the Member Secretary, Tamil Nadu State Legal Services Authority, Chennai brought to our notice that actually the notification was also issued, bringing into force published in the gazette on 30th November, 2013. Not only that, compensation had been paid in terms thereof. Thus, the very substratum of the petition did not exist and that is the reason why we listed the matter today "for being mentioned".

2. We are thus of the view that since the very cause for filing the petition does not exist—notification has been issued and published in the gazette on 30.11.2013, the petition has to be consequently dismissed.

3. The writ petition accordingly stands dismissed, leaving the parties to bear their own costs

(S.K.K., CJ.) (R.M.D., J.)
08.08.2016

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To

1.The Chief Secretary, Government of Tamil Nadu,
Fort St.George, Chennai 600 009.

2.The Secretary to Government,
Home Department, Government of Tamilnadu,
Fort St.George, Chennai.

3.The Secretary to Government
Law Department, Government of Tamil Nadu,
Fort St.George, Chennai 600009.

4.The Commissioner of Police
Chennai City, Poonamallee High Road,
Chennai.

5.The Chairman, State Legal Services Authority,
High Court, Chennai 600 104.

The Hon'ble The Chief Justice
and
R. Mahadevan, J.

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