

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.33172 of 2016

A.Rajendiran

.. Petitioner

Versus

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Special Officer,
CM Special Cell,
Secretariat, Chennai-9.

3. The Commissioner for Differently
Abled Welfare and Rehabilitation,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar,
Chennai-600 078.

.. Respondents

(Third respondent suo motu impleaded
by order of Court dated 26.09.2016)

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the second respondent to consider the grant of financial assistance to the petitioner's family from the Chief Minister's Public Relief Fund as per the recommendations made by the first respondent in Proceedings Na.Ka.No.Vu3/39074/2014, dated 06.04.2015.

For Petitioner : Mr.K.C.Karl Marx

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

Heard Mr.K.C.Karl Marx, learned counsel appearing for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader, appearing for the respondents.

2. The petitioner is before this Court seeking for
<https://hcservices.ecourts.gov.in/hcservices/>

compassion not from this Court, but to direct the respondents to do so. The petitioner is a daily wager married to one Tmt.Amutha and out of their wedlock, they had four children. Unfortunately, though the children were born healthy, after they had completed about 4 to 5 years of age, they developed muscular dystrophy, resulting in weakens of the entire muscle system of the children. Out of the four children, one girl child passed away on 15.11.2014. The other three children are taken care of by the petitioner and his wife and it is stated that the entire day and night is spent taking care of the children as they cannot be left under the care of any other persons and they requires assistance in all their day to day needs.

3. Therefore, the petitioner submitted an application for providing disabled pension and this appears to have been considered and a sum of Rs.1,500/- per child has been given. However, this being a paltry amount, the petitioner and his wife are unable to take care of the children as they are growing and all their needs had to be attended by them, transporting them was difficult and it was not only a mental strain, but as well as severe financial strain on the petitioner. Therefore, the petitioner addressed the Hon'ble Chief Minister Special Cell and it appears to have evoked certain response and report has been called for from the District Collector, Thiruvannamalai, but the net result as on date is that additional benefit sought for by the petitioner has not been sanctioned. It is not as if the petitioner claims as a matter of right that he is entitled for assistance, but the petitioner pleads that his case is a genuine case, where the State should show compassion and as being frequently done by the Hon'ble Chief Minister, by considering the merits, the petitioner's case is also a fit case where assistance can be granted. Therefore, the very purpose of this Writ Petition is to speed up the process or to bring to the notice of the Authorities about the plight of the petitioner's children.

4. The learned Special Government Pleader has been able to secure written instructions from the District Collector, Thiruvannamalai, from which, it appears that at present the matter is now under consideration of the Commissioner for Differently Abled Welfare and Rehabilitation, Chennai-78, who has called for a report from the Authority under the said Commissionerate in Thiruvannamali District so as to enable the Commissioner to place the same for the consideration of the second respondent.

5. Considering the hard facts, it is a fit case where this Court deem it fit to appropriately fix the time frame for the Authorities to act.

6. Placing on record the submission made by the learned Special Government Pleader, there will be a direction to the Commissioner for Differently Abled Welfare and Rehabilitation, Chennai-78 to speed up the matter, obtain appropriate report and place the same before the Special Officer of the Hon'ble Chief Minister Cell not later than 04.11.2016. Since the Commissioner for Differently Abled Welfare and Rehabilitation, Chennai-78 is not a party to this Writ Petition, the Authority is suo-motu impleaded as the third respondent to enable the Registry to mark a copy of this order to the said authority.

7. The Writ Petition is disposed of with the above terms. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

r n s
To

- 1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The Special Officer,
CM Special Cell,
Secretariat, Chennai-9.
3. The Commissioner for Differently
Abled Welfare and Rehabilitation,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar,
Chennai-600 078.

1 cc to Mr.K.C.Karl Marx, Advocate, sr.55005

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ca co
kra 29.09.2016