

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.8452 of 2016

M.Geetha

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Villupuram District.

2. The Tahsildar,
Office of the Tahsildar,
Thirukovilur,
Villupuram District.

3. Village Administrative Officer,
Office of the Village Administrative Officer,
Thimmachur Madura Chitha village,
Thirukovilur,
Villupuram District.

.... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, to direct the first respondent to give compensation from the Chief Minister's relief fund to the petitioner family based on the petitioner's representation dated 28.12.2015 within a reasonable time.

For Petitioner : Mr.S.Varanesh

For Respondents: Mr.M.Dig Vijay Pandiyan,AGP

O R D E R

This Writ Petition has been filed praying for the issuance of a writ of mandamus, to direct the the first respondent to give compensation from the Chief Minister's relief fund to the petitioner family based on the petitioner's representation dated 28.12.2015 within a reasonable time.

2. According to the petitioner, during the month of December, 2015, while he was on the way to his agricultural lands along with his child and when they were crossing a stream situated near to his lands, due to heavy floods, the water level

in the stream raised and both of them were washed away. However, nearby village people rescued the petitioner, but unfortunately, the son of the petitioner was immersed in the water and later, found dead. It is stated that the respondents being the authorities, have failed to take precautionary steps during heavy rains and due to their negligence, the petitioner lost her child. The petitioner approached the 2nd respondent and made a complaint about the incident, who did not receive the complaint or conduct any enquiry. Thereafter, the petitioner sent the complaint by registered post on 7.12.2015 and on 28.12.2015 to the respondents, requesting them to conduct enquiry and grant compensation. It is further stated that the Government has sanctioned compensation to the families who were affected by floods. The grievance of the petitioner is that he was not sanctioned any compensation though he lost his son in the floods. Hence, the petitioner has come forward with the present writ petition.

3. Without going into the merits of the claim of the petitioner, the first respondent is hereby directed to consider the representation of the petitioner, dated 28/12/2015, and pass an appropriate order, on merits and in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order, by affording an opportunity of personal hearing, to the petitioner.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

mvs.

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To

1. The District Collector,
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Villupuram District.

2. The Tahsildar,
Office of the Tahsildar,
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Villupuram District.

3. The Village Administrative Officer,
Office of the Village Administrative Officer,
Thimmachur Madura Chitha village,
Thirukovilur,
Villupuram District.

+2ccs to Mr.S. Varamesh, Advocate, S.R.No.14559

+1cc to the Government Pleader, S.R.No.15013

MSM(CO)
EU(23/03/2016)

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