



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

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THE HONOURABLE MR. JUSTICE M. VENUGOPAL

Writ Petition (MD). No.10353 of 2016

M.Nageswari

... Petitioner

Vs.

1. The Principal Secretary/The Commissioner of
Revenue Administration,
The State of Tamil Nadu,
Ezhilagam, Chennai-5.

2. The District Collector,
Madurai District, Madurai.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the 1st respondent to consider and pass orders on the representation given by the petitioner seeking to disburse the Hon'ble Chief Minister's Relief Fund for the accidental death of the petitioner's husband Murugan, based on the recommendation made by the 2nd respondent within the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.S.Kumar

Additional Govt. Pleader

O R D E R

Heard both sides.

2. By consent, the main writ petition itself is taken up for final disposal.

3. The petitioner is a widow and she was living with her husband Murugan (since deceased) in a joint family in their village. On 22.12.2012, at about 7.30 p.m, when her husband was riding a two wheeler bearing Regn.No.TN 58 D 5034 in Solavanthan-Pannapatti Road, a vehicle came behind his motor cycle and hit him. Due to the said accident, on 30.12.2012, her husband succumbed to injuries in the hospital.



4. It comes to be known that on 22.12.2012, a case was registered in Cr.No.296 of 2012 on the file of Sholavandan Police Station and after registration of F.I.R, the Police could not identify and secure the accused, who involved in the accident and thereafter, the case was treated as 'undetected' one.

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5. At this stage, the Learned Counsel for the Petitioner submits that the Government of Tamil Nadu is granting solatium to the family members of the deceased under the Tamil Nadu Chief Minister's Welfare fund and the first respondent is the authorised officer in this regard. In fact, the second respondent/District Collector, Madurai has recommended to the first respondent in his letter in Na.Ka.No.3/59820/2015 dated 28.12.2015 for granting the relief. Since the petitioner has not been given any amount under the Tamil Nadu Chief Minister's Welfare fund, she has filed the present writ petition.

6. In view of the fact that the petitioner had addressed a representation dated 08.02.2016 to the first respondent/Principal Secretary/Commissioner of Revenue Administration, State of Tamil Nadu, Chennai-5 seeking to disburse the amount from the Chief Minister's Welfare fund, this Court, based on equity, in the interest of Justice and Fair Play, directs the first respondent to look into the representation of the petitioner dated 08.02.2016, (together with enclosures of the second respondent/District Collector's letter in Na.Ka.No.3/59820/2015 dated 28.12.2015), with all seriousness and earnestness, within a period of three weeks from the date of receipt of a copy of this order and within the said period, the first respondent is directed to pass a reasoned, speaking order on merits and to do the needful in favour of the petitioner, inasmuch as the petitioner has lost her beloved husband Murugan in the accident. The first respondent is at liberty to call for any records/documents from the petitioner and if the petitioner produces the relevant records/documents, then, the first respondent is to pass orders in a diligent and got-speed fashion by taking into account of the same, in any event, without delaying or procrastinating the matter.

7. With the aforesaid observations and directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar



1. The Principal Secretary/The Commissioner of
Revenue Administration,
The State of Tamil Nadu,
Ezhilagam, Chennai-5.

2. The District Collector,
Madurai District, Madurai.

+ 1 CC TO MR.R.GANDHI, ADVOCATE IN SR No. 30038
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 30589

VS

TE/SK-SKN/ : 20/06/2016 : 3P/5C

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