



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2016

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.18475 of 2016

Muthulakshmi

... Petitioner

Vs.

- 1.The District Collector,
Ramnad District,
Ramnad.
- 2.The Superintendent of Police,
Ramnad District,
Ramnad.
- 3.The Inspector of Police,
Town Police Station,
Paramakudi,
Ramnad District.
- 4.Vennila

... Respondents

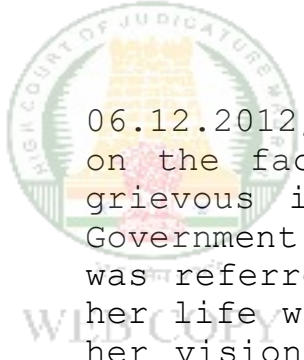
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to pay compensation to the petitioner in view of severity of petitioner's injury, expenditure with regard to grafting and reconstruction surgery, physical and mental pain and for disability by acid attack in connection with Crime No.481 of 2012.

For Petitioner	: Mr.S.Madasamy for Mr.V.Angusamy
For Respondents 1 to 3	: Mr.K.P.Krishnadoss Government Advocate

ORDER

The petitioner has filed this Writ Petition, for a direction, directing the 1st respondent to pay compensation to the petitioner in view of severity of petitioner's injury, expenditure with regard to grafting and reconstruction surgery, physical and mental pain and for disability by acid attack in connection with Crime No.481 of 2012.

2.According to the petitioner, she is residing in <https://hccservicescourts.gov.in/hccservices>, Paramakudi, Ramnad District and she is married and having three children. While that being so, one Vennila, w/o.Thiyagarajan frequently quarrelled with the petitioner and on



06.12.2012, at about 11.00 a.m, the above said Vennila throw acid on the face of the petitioner. Due to the same, she sustained grievous injury on her face and immediately, she was taken to Government Hospital, Paramakudi and after giving first aid, she was referred to Government Rajaji Hospital, Madurai. Even though her life was saved in hospital, due to the acid attack, she lost her vision in both eyes. Thereafter, she had taken treatment in Aravind Eye Hospital, Madurai and Sankara Netralaya Medical Research Foundation, Chennai and finally, the doctors declared that the petitioner has no visual potential and there is no possibility for her vision and she has spent more than Rs.7 lakhs for treatment.

3.For the above occurrence, a crime was also registered against the said Vennila by the Paramakudi Town Police Station in Cr.No.481 of 2012 for offence under Sections 294(b), 324 and 506 (ii) I.P.C and subsequently, it was altered into Sections 294(b) and 307 of I.P.C. Now, according to the petitioner, after investigation, a charge-sheet was also filed before the Jurisdictional Magistrate. Since the victim has sustained severe injury due to acid attack, she is entitled for compensation under the Victim Compensation Scheme and also based on the judgment of the Honourable Supreme Court in *Laxmi Vs. Union of India*, reported in 2015 SAR (Criminal) 638. In view of the same, she has given a petition, dated 22.04.2013, to the first respondent/District Collector, Ramnad. Based on the said letter, she was referred to the Sankara Nethralaya Community Hospital, Chennai. But, her claim for compensation was not considered. In these circumstances, she has filed the present writ petition.

4.The learned counsel appearing for the petitioner would submit that since petitioner had undergone a treatment for a long time, she was unable to make an application in time.

5.In the said circumstances, since no application as on today is filed by the petitioner, seeking compensation under the Victim Compensation Scheme framed under Section 357-A of Cr.P.C, the petitioner is directed to make necessary application, before the District Legal Services Authority, Paramakudi, within a period of three weeks from today. On filing such application, the District Legal Services Authority is directed to consider the same and pass orders, for recommending the petitioner's case for compensation, as per the Victim Compensation Scheme framed under Section 357-A of Cr.P.C, within a period of 12 weeks thereafter.

6.Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/



To

WEB COPY

1.The District Collector,
Ramnad District,
Ramnad.

2.The Superintendent of Police,
Ramnad District,
Ramnad.

3.The Inspector of Police,
Town Police Station,
Paramakudi,
Ramnad District.

4.The District Legal Services Authority,
Paramakudi.

+One cc to Mr.V.Angusamy, Advocate, SR.No.71786

+One cc to The Special Government Pleader, SR.No.71642

vs

RL/7C/3P/SS3/SARI/30.11.2016

W.P (MD) No.18475 of 2016

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