

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35751 OF 2016

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to declare the action of the respondents in declaiming sanction of Exgratia relief to the petitioner as illegal and consequently to direct the respondents to pay Gracious relief of Rs.5,00,000/- in terms of G.O.Ms.No.1, Revenue (D.M.-I) Department, dated 04.05.2015.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents. With their consent, the present writ petition is disposed of at the admission stage itself.

It is the grievance of the petitioner that on 16.05.2015 at about 0600 hours the petitioner along with her husband Galibu Chinna Krishna and other collies went to an agricultural field nearby the village for grading of chilly crop on thrashing floor. Except the husband of the petitioner, all others returned to their respective houses. Petitioner's husband stayed in the field for protection of chilly crop due to heavy downpour. At that time, he is alleged to have died due to 'thunderbolt'. In respect of the said incident, a case in Crime No.80 of 2015 of P.S.Konijerla came to be registered and the inquest report also reveals that the death was due to "thunderbolt" followed by heavy downpour, lightning and thunder. As such, the petitioner seeks compensation in terms of G.O.Ms.No.2, Revenue (DM.II) Deptt, dated 15.06.2015.

It is to be noted that the petitioner has not made any application before the competent authority seeking payment of compensation. That being the position, one cannot expect the authorities to award compensation on their own. The petitioner has to make a suitable

application before the concerned authority, upon which the authority will decide the issue as to whether the petitioner is entitled for compensation or not.

Hence, the petitioner shall make an application before the 2nd respondent-District Collector, Khammam, seeking compensation in terms of G.O.Ms.No.2 (Revenue) (DM II) dated 15.06.2015, in which event, the same shall be dealt with, in accordance with law, at the earliest.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

Date: 24.10.2016

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JUSTICE C. PRAVEEN KUMAR