

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL
AND
THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.14512 of 2017

J.Balaji

.. Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary to the Department,
Department of Home and Excise,
Fort St.George,
Chennai-600 009.
2. Mr.chandrasekaran
(Then Inspector of Police)
Vettavalam Police Station,
Thiruvannamalai District.
3. Mr.Muralidharan
(Then Sub-Inspector of Police),
Vettavalam Police Station,
Thiruvannamalai District.
4. Mr.Kumaresan
(Then Head Constable),
Vettavalam Police Station,
Thiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to disburse and pay the compensation awarded by the State Human Rights Commission, Tamil Nadu in Case No.9020 of 2013, dated 24.05.2016 to the tune of Rs.50,000/- within a time frame limit.

For Petitioner : Mr.P.G.Thiyagu

For Respondents : Mr.M.Elumalai, Govt. Advocate
for R-1
Ms.J.Madhuri for RR-3 and 4

ORDER

(The Order of the Court was made by M.Venugopal, J)

The petitioner has come forward with this Writ Petition praying for issuance of a Writ of Mandamus to direct the first respondent to disburse and pay the compensation awarded by the State Human Rights Commission, Tamil Nadu in Case No.9020 of 2013, dated 24.05.2016 to the tune of Rs.50,000/- within a time frame limit.

2. Heard both sides and perused the materials available on record.

3. It comes to be known that the Government of Tamil Nadu, after careful examination, had accepted the recommendation of the State Human Rights Commission in the order dated 24.05.2016 in Case No.9020 of 2013 and accordingly sanctioned payment of Rs.50,000/- as compensation to the petitioner herein (vide G.O. (2D).No.198, Home (Pol.IV) Department, dated 05.07.2017). This Court has perused the contents of the aforesaid G.O.(2D).No.198 and is of the considered view that the Director General of Police, Chennai, is authorised to draw the said amount of Rs.50,000/- (being the compensation awarded by the State Human Rights Commission) and to disburse to the victim, namely the writ petitioner herein. It transpires that the Superintendent of Police, Tiruvannamalai, through proceedings in C.No.K3/088/14882/2017, dated 23.08.2017, had accorded sanction in regard to the payment of compensation of Rs.50,000/- to the complainant, the writ petitioner herein.

4. It is stated that a cheque bearing No.054480, dated 28.08.2017 drawn on State Bank of India, Kosa Mada Street, Tiruvannamalai, for Rs.50,000/-, will be handed over to the writ petitioner within two days.

5. In view of the foregoings, and also this Court, taking note of the fact that a sum of Rs.50,000/- being the compensation amount was sanctioned by means of the said G.O. and also by virtue of the proceedings of the Superintendent of Police, Tiruvannamalai, dated 23.08.2017 stated above and since it is represented before this Court on behalf of the first respondent that the aforesaid cheque would be handed over to the petitioner within two days, this Court disposes of the present Writ Petition, as nothing further survives for adjudication, since the amount of compensation of Rs.50,000/- was ordered to be disbursed to and in favour of the petitioner.

6. It is abundantly made clear that the payment/disbursement of compensation of Rs.50,000/- in the form of cheque said above, to and in favour of the writ petitioner, would not preclude the respondents 2 to 4 to assail the correctness of the order of the State Human Rights Commission in Case No.9020 of 2013, dated 24.05.2016, in the manner known to law and in accordance with law, if they so desire/are so advised.

No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

cs

Copy to

The Secretary to the Department,
Department of Home and Excise,
Fort St.George,
Chennai-600 009.

+2cc to Mr.P.G.Thiyagu, Advocate sr.61730

+3cc to Mr.J.Madurai, Advocate sr.61780

+1cc to Government Pleader sr.62386

W.P.No.14512 of 2017

kk(co)
ss(14/9/2017)

सत्यमेव जयते

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