



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P. (MD) No.13199 of 2017

WEB COPY

S. Subbiah

...Petitioner

-Vs-

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

3. The Tahshildar,
Srivilliputhur Taluk,
Srivilliputur,
Virudhunagar District

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to sanction the accident relief for the deceased mother to the petitioner by considering the petitioner representation on 18.07.2016 and 27.12.2016 as per law and fix a time frame.

For Petitioner : Mr. R. Ramasamy
For Respondents : Mr. A. Muthukaruppan,
Additional Government Pleader.

ORDER

This Writ Petition is filed seeking for the issuance of a Writ of Mandamus directing the third respondent to sanction the accident relief for the deceased mother to the petitioner by considering the petitioner's representations on 18.07.2016 and 27.12.2016 as per law and fix a time frame.

2. Mr. A. Muthukaruppan, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he is working as coolie in a tea shop and his mother was living separately. On 04.02.2015, his mother died in a fire accident. Immediately, he lodged a complaint to the Srivilliputhur Police Station and the same was registered in Cr.No.91/2015 under Section 174 Cr.P.C. The



Government Hospital conducted postmortem on the deadbody of the petitioner's mother and also issued certificate.

4.The petitioner would further state that he applied to the first respondent seeking relief on 18.07.2016. On the same day, he received a letter from the third respondent instructing him to submit the legal heir certificate of his mother, namely, Ayyammal. He would further add that on 27.12.2016, he filed another application along with necessary documents. But no action was taken. Hence, the present writ petition has been filed.

5.Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents would submit that the second respondent is the competent authority for sanctioning of accident relief fund.

6.In the light of the above submission, there will be a direction to the third respondent to forward all the documents to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the second respondent is directed to consider the said application of the petitioner, dated 27.12.2016, and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Virudhunagar District, Virudhunagar.
 - 2.The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
 - 3.The Tahshildar,
Srivilliputhur taluk,
Srivilliputur, Virudhunagar District
- +1cc to Mr.R.Ramasamy ,Advocate,SR.65984
+1cc to M/S.Special Government Pleader,SR.66409

W.P.(MD)No.13199 of 2017
18.07.2017

skn/smi

KK/SKN RSK/SAR2/17.08.2017/ 2P- 6C