

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 01.06.2017****CORAM:****THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM****W.P. (MD)No.9593 of 2017**

Karunanithi

: Petitioner

-Vs-

1. The Principal Secretary,
Rural Development and Panchayat Raj Department,
St. George For,
Chennai.
2. The District Collector,
Sivagangai District.
3. The Block Development Officer,
Ilayankudi Panchayat Union,
Sivagangai District.

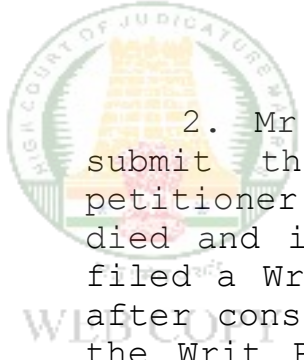
: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to pay Rs.3,00,000/- (Rupees Three Lakhs Only) with accrued interest at the rate of 9% per annum from the date on which the petitioner's son was died due to collapse of public toilet as compensation to the petitioner in the light of the order in W.P.(MD)No.11889 of 2012 dated 03.03.2017.

For Petitioner : Mr.D.Sasikumar
For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader

O R D E R

The prayer in the Writ Petition is for issuance of a Writ of Mandamus, directing the second respondent to pay Rs.3,00,000/- (Rupees Three Lakhs Only) with accrued interest at the rate of 9% per annum from the date on which the petitioner's son was died due to collapse of public toilet as compensation to the petitioner, in the light of the order in W.P.(MD)No.11889 of 2012 dated



2. Mr.D.Sasikumar, learned counsel for the petitioner would submit that on 29.07.2010 in an unfortunate incident, the petitioner's son and another child, age group of 11 and 12, have died and in respect of one of the deceased, his father Kalimuthu filed a Writ Petition in W.P.(MD)No.11889 of 2012 and this Court, after considering the submissions made on both sides, has allowed the Writ Petition on 03.03.2017, directing the second respondent to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) as compensation along with interest at the rate of 9% per annum. The said judgment would squarely apply to the instant case also.

3. The learned Additional Government Pleader, on instructions, would submit that the judgment passed in the earlier Writ Petition will cover the issue involved in the present Writ Petition also.

4. In view of the above submissions made on either side, this Writ Petition is allowed and a direction is issued to the second respondent to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs only) as compensation for the death of the petitioner's minor son together with interest at the rate of 9% per annum from 29.07.2010 till the date of actual payment. The said compensation shall be disbursed to the petitioner, within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government of TamilNadu,
Rural Development and Panchayat Raj Department,
St. George For,
Chennai.

2. The District Collector,
Sivagangai District.

3. The Block Development Officer,
Ilayankudi Panchayat Union,
Sivagangai District.

+1cc to Mr.D.Sasikumar, Advocate Sr.No.58200

psd/sml

vb/mr/sar4/09.06.2017/2p/5c