



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.2065 of 2011

P.V.Vellathurai

... Petitioner

Vs.

1. State of Tamil Nadu through the
District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2. The Executive Engineer,
Public Works Department,
Tiruchirappalli.

3. The Commissioner,
Manapparai Municipality,
Manapparai.

... Respondents

(R2 and R3 impleaded as party respondents
vide this Court order dated 02.01.2014 in
M.P. (MD) No.1 of 2011)

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay a sum of Rs.5,00,000/- towards compensation to the petitioner on account of the death of the petitioner's son.

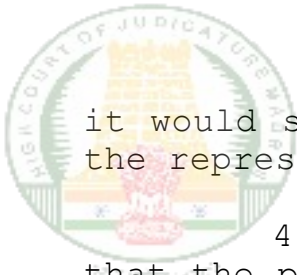
For Petitioner : Mr.Anwar Sameer
For R-1 & R-2 : Mr.G.Muthukannan
Government Advocate
For R-3 : Mr.J.Lawrance

ORDER

The petitioner seeks for a direction to the respondents to pay compensation for a sum of Rs.5,00,000/- on account of the death of the petitioner's son.

2. Heard Mr.Anwar Sameer, learned counsel for the petitioner, Mr.G.Muthukannan, learned Government Advocate for the first and second respondents and Mr.J.Lawrance, learned counsel for the third respondent.

3. The learned counsel for the petitioner would submit



it would suffice, if the first respondent is directed to consider the representation of the petitioner, dated 19.11.2010.

4. The learned Special Government Pleader would submit that the petitioner may be directed to give a fresh representation and the same will be considered by the first respondent by the order of this Court.

5. Mr.J.Lawrance, learned counsel for the third respondent would submit that the tank, in which the petitioner's son died does not come under the Jurisdiction of the third respondent and it belongs to the Revenue Department.

6. In the light of the above submissions, the petitioner is directed to give a fresh representation by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the first respondent shall consider the same and pass orders on merits and in accordance with law, after providing opportunity to all the necessary parties within a period of eight weeks therefrom.

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

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
2. The Executive Engineer,
Public Works Department,
Tiruchirappalli.
3. The Commissioner,
Manapparai Municipality,
Manapparai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74714
+ 1 CC TO Mr.J.LAWRANCE, ADVOCATE IN SR No. 74118
+ 1 CC TO Mr.I.IRULAPPAN, ADVOCATE IN SR No. 74459

DSS/SM

<https://hcservices.ecourt.gov.in/CaseServices/> : 05/09/2017 : 2P/7C

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