

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.9742 of 2017

Bharathi Srinivasan

... Petitioner

vs.

1. The District Collector,
Office of the District Collector,
Thiruvallur District.

2. State rep. By Inspector of Police,
T12, Traffic Investigation,
Poonamallee Chennai Police,
Chennai - 600 056.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to grant compensation to the petitioner by considering the petitioner's representation dated 24.03.2017.

For Petitioner : Mr.B.Chandran

For Respondents : Mr.R.Govindasamy,
Special Government Pleader

O R D E R

The petitioner seeks for a Mandamus directing the first respondent to grant compensation to the petitioner due to the death of his son by name Lokesh in a road accident, which according to the petitioner, was due to the pit in the road.

2. In the counter affidavit filed by the second respondent, though it is stated that the deceased was riding the motor cycle without wearing helmet and lost balance and fell on the wall of the central median, sustained grievous head injuries and died due to such head injuries, it is however, stated in paragraph No.7 that as per G.O.Rt.No.817, Home Department dated 08.06.1999, the petitioner was requested to submit the requisition in the prescribed Form for the payment of compensation from the Chief Minister Accident Relief Fund of a

sum of Rs.1,00,000/- and the specimen forms were also supplied to the petitioner. It is further stated that the petitioner is not cooperating and he has not submitted the requisition in the prescribed form so far. Therefore, the learned Special Government Pleader submitted that once the application in the prescribed form is received, the petitioner's application will be considered for sanctioning the above said sum.

3. Recording the above said submissions, this writ petition is disposed of by directing the petitioner to send his request in the prescribed form to the first respondent, District Collector, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such request, the first respondent shall forward the same to the concerned Department in the Government of Tamil Nadu, which in turn, will pass appropriate orders sanctioning the said relief fund within a period of four weeks thereafter. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
Office of the District Collector,
Thiruvallur District.
2. The Inspector of Police,
T12, Traffic Investigation,
Poonamallee Chennai Police,
Chennai - 600 056.

+1cc to Mr.B.Chandran, Advocate, S.R.No.1268
+1cc to the Government Pleader, S.R.No.1435

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ss(co)
cs/19/01/18