

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.01.2018

CORAM

THE HONOURABLE MR.JUSTICE RAVICHANDRABAABU

W.P.No.777 of 2018

Dayarammal

... Petitioner

vs.

1. The State of Tamilnadu,
represented by Principal
Secretary to Government,
Secretariat,
St.George Fort,
Chennai - 600 009.
2. The Additional Principal Secretary,
Commissioner of Revenue Administration,
Ezhilagam,
Chepakam,
Chennai - 600 005.
3. The District Collector,
Collectorate,
Sathuvacheri,
Vellore,
Vellore District.
4. The Thasildhar,
Taluk Office,
Arakkonam Taluk,
Arakkonam,
Vellore District.
5. The Thasildhar,
Taluk Officer,
Nemeli Taluk,
Nemeli,
Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to award the petitioner, a compensation for a sum of Rs.3,00,000/- (Three lakhs) as announced by the State Government of Tamilnadu as a flood relief compensation for the death of petitioner's mother, namely Muniammal, who died on 23.11.2015 in the flood.

For Petitioner :Mr.A.Gouthaman

For Respondents: Mr. R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal.

2. The petitioner seeks for a direction to the second respondent to award the petitioner a compensation of Rs.3 lakhs as announced by the Government of Tamilnadu as a flood relief compensation for the death of petitioner's mother namely, Muniammal who died on 23.11.2015 in the flood.

3. Heard both sides.

4. It is stated that the petitioner's mother Muniammal, while returning from the Government Hospital, Melkalathur on 23.11.2015, got stuck in the flood due to heavy rain and washed away in the said flood and thereby, she lost her life. Therefore, the petitioner gave a representation on 14.12.2015 to the 4th respondent for grant of compensation for the death of her mother due to the flood. It is further stated that the District Collector through communication dated 09.11.2016, addressed to the second respondent, recommended for grant of compensation to the petitioner in view of the death of her mother in the flood. However, till this date, the compensation has not been paid to the petitioner and therefore, she has filed the present writ petition before this Court.

5. Learned counsel appearing for the petitioner submitted that though, at that time, the compensation payable was fixed as Rs.3 lakhs in respect of similar cases, now, the Government has enhanced the compensation to Rs.4 lakhs and therefore, the respondents 1 and 2 has to consider the request of the petitioner for paying the compensation at the rate of Rs.4 lakhs due to the death of her mother in the flood.

6. Considering the above stated facts and circumstances and the communication issued by the 3rd respondent to the 2nd respondent on 09.11.2016 in NaKa.F3/15225/16, this Court is of the view that the request of the petitioner for payment of compensation cannot be delayed any further. Accordingly, the writ petition is disposed of by directing the 1st and 2nd respondents to look into the claim made by the petitioner immediately and pass appropriate orders for paying the compensation payable to the petitioner as on today. Such

exercise shall be done by the 1st and 2nd respondents within a period of four weeks from the date of receipt of a copy of this order. No costs.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

vsi

To

1. The Principal
Secretary to Government,
Secretariat, St. George Fort,
Chennai - 600 009.
2. The Additional Principal Secretary,
Commissioner of Revenue Administration,
Ezhilagam, Chepakkam,
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Vellore District.
5. The Thasildhar,
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Nemeli,
Vellore District.

+1 CC to Mr.A. Gowthaman, Advocate sr 3858.
+1 cC to Govt. Pleader sr 3688.

W.P.No.777 of 2018

SP(24/01/2018)