

IN THE HIGH COURT OF JUDICATURE AT MADRAS

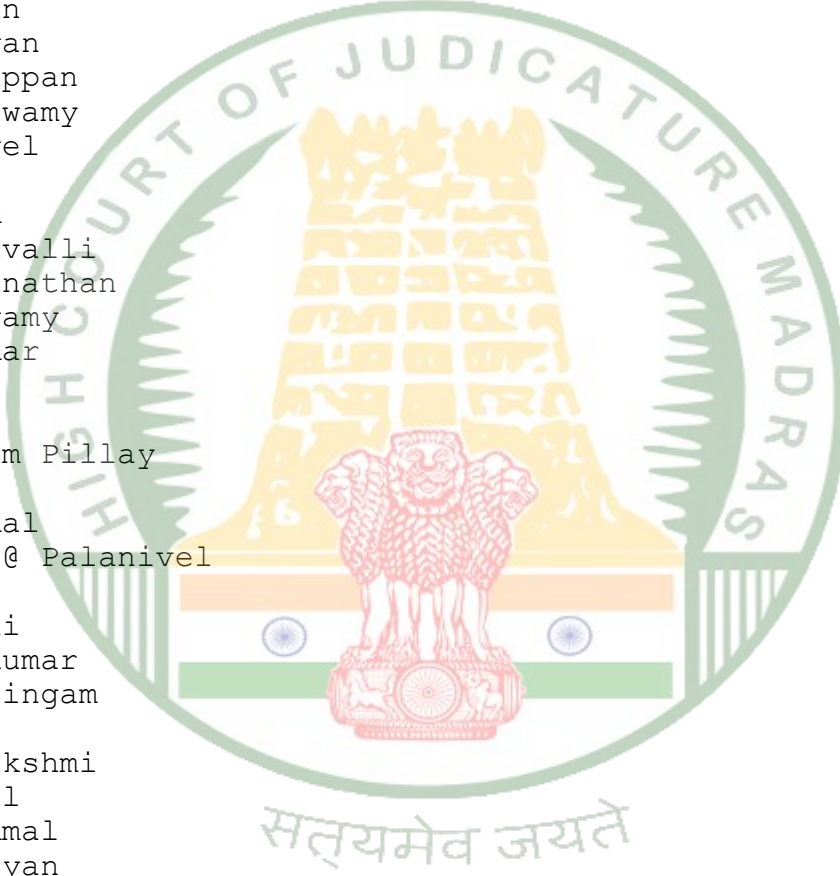
DATED : 10.09.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.1287 of 2014

- 1.M.Panneerselvam
- 2.Kallimuthu
- 3.Nagarajan
- 4.Murugaiyan
- 5.M.Kalliappan
- 6.Pakkiriswamy
- 7.Kulandivel
- 8.Kavitha
- 9.Rathinam
- 10.Amirthavalli
- 11.Sargurunathan
- 12.Veerasswamy
- 13.Jeyakumar
- 14.Elango
- 15.Usha
- 16.Rathinam Pillay
- 17.Sekar
- 18.Kasiammal
- 19.Palani @ Palanivel
- 20.Kunju
- 21.Bharathi
- 22.Vijayakumar
- 23.Chockalingam
- 24.Sankar
- 25.Muthulakshmi
- 26.Anjammal
- 27.Vaduvammal
- 28.Murugaiyan
- 29.V.Chidambaram
- 30.Jayaraman
- 31.Muthusamy
- 32.Duraiaraj
- 33.Rajakilli
- 34.Vijayakumar
- 35.Muthulakshmi



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..Petitioners

VS

1.The State of Tamil Nadu,
rep.by Principal Secretary to Government,
Fisheries Department,
Chennai-600 009.

2.The District Collector,
Nagapattinam District,
Nagapattinam.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to enquire into the malpractices in the grant of Tsunami reliefs to the victims and consequently, direct the respondents to grant all the Tsunami reliefs by constructions of permanent houses and monetary compensation for the loss of livelihood of the petitioners herein in the Maniyan Theevu, Vedarayam Taluk, Nagapattinam District.

For Petitioner : Mr.D.Babu
For Respondents : Mr.V.Jayaprakash Narayanan, SGP

O R D E R

The prayer made in this writ petition is to direct the first respondent to enquire into the malpractices in the grant of Tsunami reliefs to the victims and grant all the Tsunami reliefs to the petitioners herein.

2.According to the petitioners, they are the fishermen and are residing in and around Vedaranyam Sea Shore Villages, Nagapattinam District. They were severally affected by the Tsunami Waves hit on 26.12.2004. Though the Government granted various reliefs to the victims of Tsunami, the petitioners have not been provided any relief till date, in spite of their representation dated 09.10.2013 having been sent to the respondents. Hence, this writ petition.

3.Upon notice, the respondents filed a detailed counter affidavit dated 25.06.2015, inter alia stating that the Tsunami waves hit Munian Theevu of Agasthiampalli village on 26.12.2004 and all kind of relief measures were sanctioned; were undertaken immediately and were completed within six months, except the provision of permanent houses. It is further stated therein that in the absence of any specific case i.e., name of the person, who died due to Tsunami and his date of death with other identity about the residential place etc., the request of the petitioners cannot be probe into.

4. When the matter is taken up for consideration, the learned Special Government Pleader appearing for the respondents, on instructions, submitted that the representation dated 09.10.2013 stated to be sent by the petitioners, was sent by the Society/Association and not by the petitioners in their individual capacity. However, he submitted that the second respondent would consider the claim of the petitioners, if they submit a fresh individual representation with full details enclosing the required documents.

5. In view of the above, this Court disposes of this writ petition, granting liberty to the petitioners to submit a fresh representation with full particulars enclosing necessary documents to the second respondent, within a period of two weeks from the date of receipt of a copy of this order. On such submission, the second respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter. No costs.

rk

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The State of Tamil Nadu,
rep. by Principal Secretary to Government,
Fisheries Department,
Chennai-600 009.

2. The District Collector,
Nagapattinam District,
Nagapattinam.

+1cc to Mr.D.Balu, Advocate SR.NO.62794

+1cc to Government Pleader SR.NO.62985

MR(CO)

sm:16.10.2018

W.P.No.1287 of 2014