

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Contempt Petition No.2014 of 2018

Dayarammal

... Petitioner

vs.

1. Mrs.Girija Vaidyanathan,
The State of Tamilnadu
represented by Principal,
Secretary to Government,
Secretariat,
St.George Fort,
Chennai - 600 009.
2. Mr.Mohan Pyare,
The Additional Principal Secretary,
Commissioner of Revenue Administration,
Ezhilagam,
Chepakkam,
Chennai - 5.

(R1 deleted as per order
dated 7.9.2018 by KRCBJ)

... Respondents

Contempt Petition filed under Section 11 of the Contempt of
Courts Act to punish the respondents for their willful
disobeyance of the order passed by this Court dated
12.01.2018 made in W.P.No.777/2018

For Petitioner : Mr.A.Gouthaman

For Respondent : Mr.N.Inbanathan
Additional Government Pleader
for R2

ORDER

This Contempt Petition is filed by complaining that the order passed by this Court in W.P.No.777 of 2018 dated 12.01.2018 has been violated.

2. While disposing the said writ petition, this Court directed the first and second respondents therein to look into the claim made by the petitioner for payment of compensation of Rs.4 lakhs for the death of the petitioner's mother namely, Muniammal, who died on 23.11.2015 in the flood and to pass appropriate orders for paying the compensation payable to the petitioner as on date.

3. The grievance of the petitioner before this Court in this Contempt Petition is that instead of paying Rs.4 lakhs as has been paid to the other flood affected victims, the respondent has paid only Rs.50,000/-. Therefore, it is contended that the respondent has violated the order of this Court.

4. On the other hand, a counter affidavit is filed by the respondent wherein it is stated that the petitioner's mother accidentally fell down from the railway track into the odai and died in a bid to save her from being hit by a train. Therefore, the District Collector, Vellore, sent a proposal for recommendation to sanction Rs.50,000/- under Chief Minister Public Relief Fund. It is further stated that the death of the petitioner's mother was not due to any natural calamity but only due to the accident as stated supra.

5. Heard both sides.

6. This Court has only directed the respondents 1 and 2 in the writ petition to look into the claim of the petitioner and pass appropriate orders for paying compensation payable to the petitioner. Now, it is seen that the quantum is in dispute. It is also seen that the reason for the death of the petitioner's mother is also in dispute. Therefore, on these disputed facts, this Court is not inclined to go into the Contempt Petition as the order passed by this Court is only to pass appropriate orders for paying the compensation for the death of the petitioner's mother. If the petitioner is not satisfied with the

compensation paid already and still has any further claim, it is open to her to agitate the matter by way of separate and independent proceedings. By granting such liberty, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

vsi

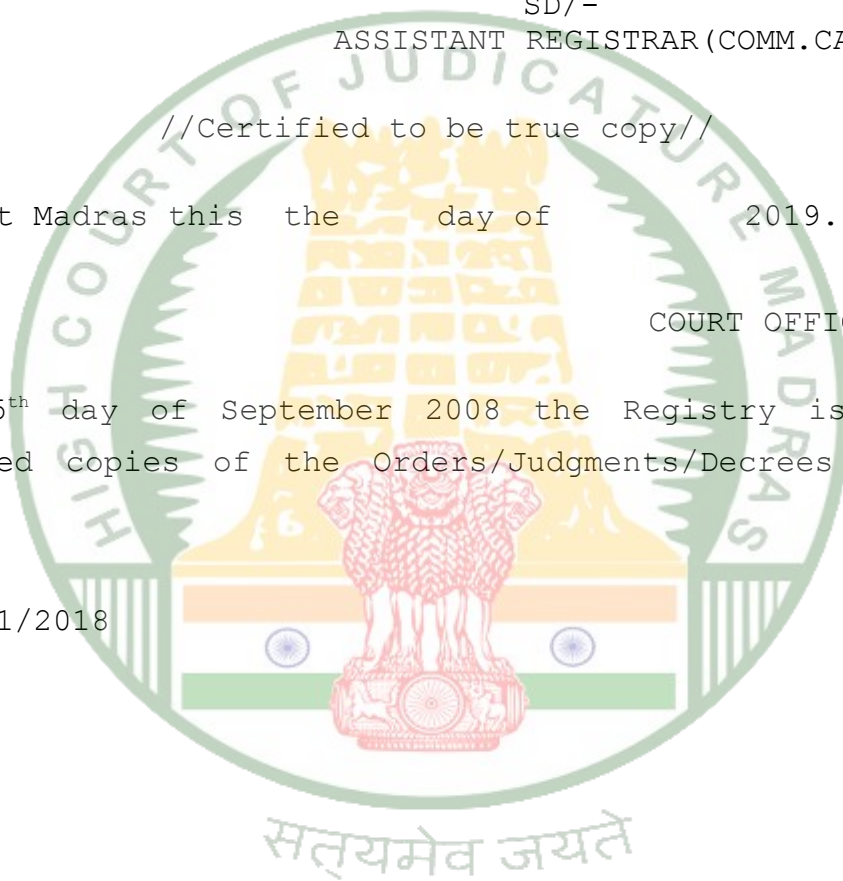
//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/29/11/2018



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