

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.15103 of 2018**

T.Murugan

... Petitioner

vs.

1. The Chief Secretary,
Secretariat,
St. George Fort,
Chennai.

2. The District Collector,
Thanjavur District, Thanjavur.

3. The District Educational Officer,
District Education Office,
Thanjavur.

4. The Head Master,
Government Primary School,
Ayyothy Patty, Near Sengipatty,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay compensation award Rs.10,00,000/- (Rupees Ten Lakhs Only) for his son's death caused by the Negligence and Unsecured Circumstances School Resulting in the death of the petitioners child in the pond based on representation dated 24.04.2018 within a period stipulated by this Court.

For Petitioner : Mr.M.A.Abdulmuthalif
For RR1 to 3 : Mr.S.Nagarajan
Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 to 3. Notice to the fourth respondent is dispensed with in view of nature of the order to be passed by this Court.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 24.04.2018, seeking for compensation award of Rs.10,00,000/- (Rupees Ten Lakhs Only) by the Negligence and Unsecured Circumstances School Resulting in the death of the petitioner's child in the pond, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever an representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 24.04.2018 on its own merits and take further action in accordance with law, within a period of 4 weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the fourth respondent and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The Chief Secretary,
Secretariat,
St. George Fort,
Chennai.

2. The District Collector,
Thanjavur District, Thanjavur.



3. The District Educational Officer,
District Education Office,
Thanjavur.

+1cc to Mr.M.A.Abdulmuthalif, Advocate Sr.No.73111

SJI

VB/PN/SAR3/23.07.2018/3P/5C

W.P.(MD) No.15103 of 2018
12.07.2018