



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.23608 of 2017

WEB COPY

Palaniyammal

... Petitioner

vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Municipal Administration and
Water Supply Department,
St. George Fort, Chennai-09.

2.The District Collector,
Trichy District, Trichy.

3.The Trichy City Corporation,
Represented by its Executive Authority of
The Commissioner,
Bharathidhasan Salai,
Contonment, Trichy.

4.The Assistant Commissioner,
Ariyamangalam/Ponmalai Zone,
Trichy City Corporation,
Palakarai, Trichy-08.

... Respondents

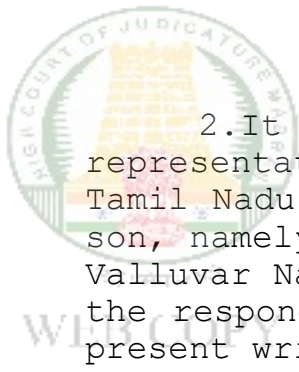
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to pay the compensation under Tamil Nadu Government Accident Relief Fund for the death of the petitioner's son, namely, Santhoshkumar, aged about 3 years, S/o. Kamaraj, No.73, Valluvar Nagar, Thiruvarampur, Trichy-13 and pursuant to the petitioner's representation dated 22.05.2017.

For Petitioner : Ms.R.Yamuna
For R-1 and R-2 : Mr.J.Gunaseelanmuthiah
Additional Government pleader

For R-3 and R-4 : Mr.N.S.Karthikeyan

O R D E R

Heard Ms.R.Yamuna learned counsel appearing for the petitioner, Mr.J.Gunaseelanmuthiah, learned Additional Government pleader appearing for the 1st and 2nd respondents and Mr.N.S.Karthikeyan, learned counsel appearing for the respondents 3 and 4.



2.It is the grievance of the petitioner that her representation dated 22.05.2017, seeks to pay the compensation under Tamil Nadu Government Accident Relief Fund for the death of the her son, namely, Santhoshkumar, aged about 3 years, S/o. Kamaraj, No.73, Valluvar Nagar, Thiruvarampur, Trichy-13, has not been considered by the respondents 2 and 3 till date and therefore, she has filed the present writ petition.

3.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 a 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.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the 2nd respondent to consider the petitioner's representation dated 22.05.2017, on its own merits and take further action in accordance with law, within a period of three months from the date of receipt of a copy of this order. Such an exercise shall be done after conducting an enquiry and giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

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

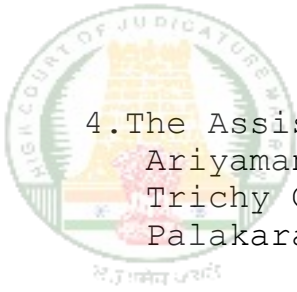
Sd/-
Assistant Registrar (WRITS)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

- 1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
St. George Fort, Chennai-09.
- 2.The District Collector,
Trichy District, Trichy.
- 3.The Executive Authority of the Commissioner,
The Trichy City Corporation,
Bharathidhasan Salai,
Contonment, Trichy.



4.The Assistant Commissioner,
Ariyamangalam/Ponmalai Zone,
Trichy City Corporation,
Palakarai, Trichy-08.

+1CC TO Ms.R.YAMUNA ADVOCATE IN SR.NO.77186.

+1CC TO MR.N.S.KARTHIKEYAN ADVOCATE IN SR.NO.77513.

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.NO.77470.

SJI

DS SKN SAR-1;07.09.2018; 3P/8C

W.P. (MD) No.23608 of 2017
03.08.2018