



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.10.2018
CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20443 of 2018

WEB COPY

N.Kavitha

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary to
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Fort St.George, Chennai.

2.The Secretary,
The District Legal Services Authority,
District Court Buildings,
Madurai-625 020.

3.The District Collector,
Office of the District Collector,
Madurai District.

4.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City.

5.The Inspector of Police,
Sellur Police Station,
Madurai District.

6.The District Children Protection Officer,
The District Children Protection Society,
Madurai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent No.1 to 3 to provide fair and reasonable amount of compensation to the petitioner under Section 357-A(2) and 374 (5) of Criminal Procedure Code 1973 and under the Tamil Nadu Victim Compensation Scheme, 2013 and consequently direct the respondent No.6 to pay financial assistance to the petitioner's each children by name I.Rathikumar, 2.Rithish, till their age of 09 years on the basis of the petitioner's representation dated 16.04.2018 within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.B.Bhagawathi
Government Advocate

**ORDER**

This writ petition has been filed seeking for victim compensation to the petitioner.

2.The learned counsel for the petitioner would submit that the petitioner's husband was murdered. The case is pending on the file of the Fourth Additional Sessions Court, Madurai in S.C.No.206 of 2016. He submits that the Tamil Nadu Government had published a scheme for the victim compensation and as per the said scheme viz., the Tamil Nadu Victim Compensation Scheme, 2013 the petitioner is entitled for victim compensation. Therefore, a representation was made by the petitioner to the second respondent seeking victim compensation. This writ petition has been filed for a direction to the second respondent to consider and pass appropriate orders granting victim compensation.

3.The learned Government Advocate would submit that as per the scheme of the Tamil Nadu Government, the petitioner is not entitled for victim compensation. He further submits that only after the completion of the case, the petitioner will be entitled for victim compensation.

4.In view of the limited relief sought for by the petitioner, without going into the merits of the case, this Court directs the second respondent to consider the representation of the petitioner dated 16.04.2018 made by the petitioner seeking for victim compensation and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Secretary to
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Home, Prohibition and Excise Department,
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+1CC to Mr.R.Alagumani, Advocate, SR.No.89576

+1CC to the Special Government Pleader SR.No.89695

W.P. (MD) No.20443 of 2018
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ES/SKN/RSK/SAR 1/08.11.2018/3P/9C