

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.8867 of 2019

M.Devi

...Petitioner

Vs.

1.The Secretary to Government
Department of Fisheries
Fort St.George
Chennai-600 009.

2.The Commissioner
Department of Fisheries
Teynampet,
Chennai-600 018.

3.The Asst. Director of Fisheries
Nagapattinam.

4.The District Collector
Nagapattinam District
Nagapattinam - 609 105.

5.The Tahsildar
Nagapattinam - 609 105.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to take appropriate actions on the petitioner's representation dated 03.08.2016 and release the death compensation amount of their son late Raj Kumar to the petitioner.

For Petitioner : Ms.L.Margaret

For Respondents: Mr.R.Govindasamy

Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to take appropriate action on her representation dated 03.08.2016, wherein and whereby, she sought to release the death compensation amount of her son late Raj Kumar.

3. It is stated that the petitioner's family was doing fishing work. It is further stated that the petitioner's son namely, Raj Kumar died on 18.12.2011 due to "Thane Cyclone" along with other persons. It is further stated that after confirming the death of the petitioner's son, the President of the Fishermen Co-operative Society and the Village President gave a representation on 06.01.2014 and 12.01.2014 respectively, to the Assistant Director of Fisheries Department, Nagapattinam (North) - Sirkali, recommending them to give death compensation to the family members of the said Late Rajkumar, since he was a member of the said Co-operative Society. However, no death compensation was provided to the petitioner's family till this date. Hence, the petitioner gave a representation on 07.08.2016, to the Commissioner of Fisheries Department, Teynampet, Chennai-600 018, requesting them to disburse the compensation amount to her. Though several reminders were given, till date, the petitioner has not received any compensation from the respondents. Hence, the petitioner filed the present writ petition seeking for the relief as stated supra.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the 4th respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only with a direction to the 4th respondent to consider the petitioner's representation dated 03.08.2016 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the 4th respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mk

To

1.The Secretary to Government
Department of Fisheries
Fort St.George
Chennai-600 009.

2.The Commissioner
Department of Fisheries
Teynampet,
Chennai-600 018.

3.The Asst. Director of Fisheries
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4.The District Collector
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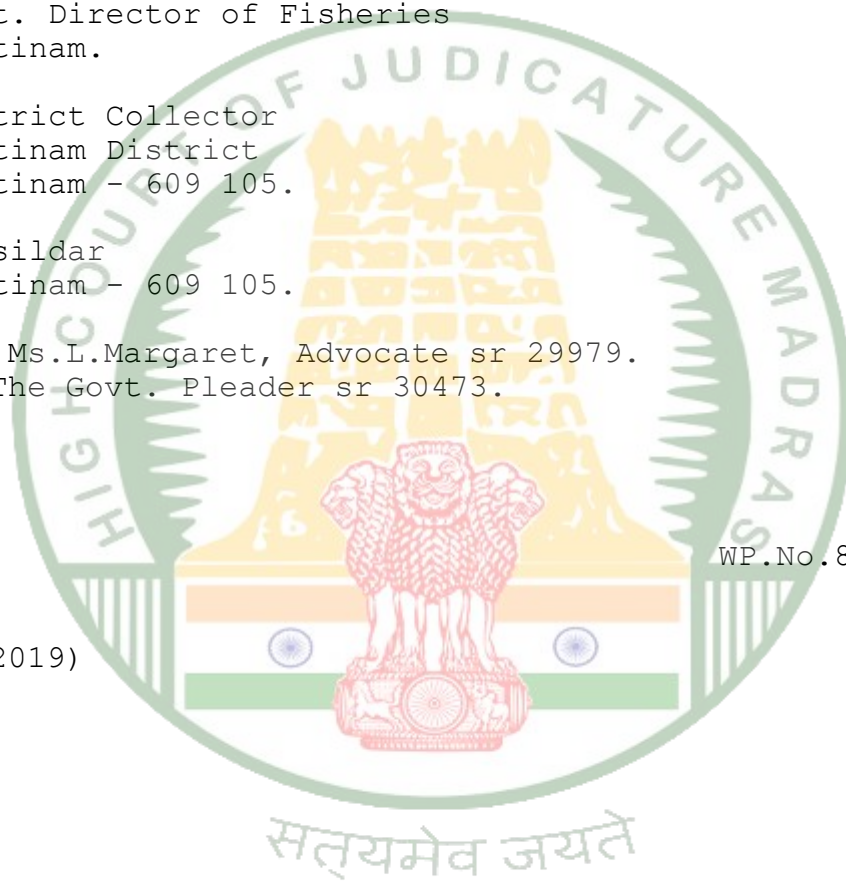
5.The Tahsildar
Nagapattinam - 609 105.

+3 Ccs to Ms.L.Margaret, Advocate sr 29979.

+1 CC to The Govt. Pleader sr 30473.

MP (CO)
SP (25/04/2019)

WP.No.8867 of 2019



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