

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9001 of 2019

T.Balasundari

...Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Fort St.George, Chennai-600009.
 2. The District Collector,
Office of the District Collector,
Nagapattinam,
Nagapattinam District.
 3. The Tahsildar,
Office of the Tahsildar,
Vedaranyam,
Vedaranyam Taluk,
Nagapattinam District.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to issue the death benefit of father of the petitioner due to the Gaja cyclone for the amount of Rs.10,00,000/- and to implement the proceeding of the 3rd respondent made in Pa.Va.335/2019/A4 dated 10.01.2019 within stipulated time may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Murugabharathi

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 main writ petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition is filed seeking for a Mandamus, directing the 1st respondent to issue the death benefit of the petitioner's father to a sum of Rs.10,00,000/- to the petitioner.

3. It is stated that due to "Gaja Cyclone", the petitioner's father died on 15.11.2018. It is further stated that the petitioner sent a representation on 20.11.2018, followed by another representation dated 10.01.2019 to the respondents requesting them to grant compensation for the death of his father. It is also further stated that a piece meeting has been conducted on 10.01.2019 and a report dated 10.01.2019 has been issued by the third respondent, stating that the death benefit proposal has been given to the Government for grant of compensation for the death of the petitioner's father. The grievance of the petitioner is that the said request has not been considered by the respondents so far. Hence, the present writ petition is filed with 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 second respondent to consider and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the representation dated 20.11.2018 followed by another representation dated 10.01.2019 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 second respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk

To

1. The Principal Secretary to Government,
Fort St.George, Chennai-600009.
2. The District Collector,
Office of the District Collector,
Nagapattinam,
Nagapattinam District.

3. The Tahsildar,
Office of the Tahsildar,
Vedaranyam,
Vedaranyam Taluk,
Nagapattinam District.

+1 cc to Mr.R.Murugabharathi, Advocate, S.R.No.29920

+1 cc to the Government Pleader, S.R.No.30475

W.P.No.9001 of 2019

CA(CO)
SSM(30/04/2019).



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