

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :31.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.28254 of 2019

and

W.M.P.No.27930 of 2019

Minor S.Gayathri

Represented by her natural Guardian and father

Selvavel, S/o, Dhasan,

1/47, Boiyar Street,

Pottireddypatti Post,

Senthamangalam Taluk,

Namakkal District.

.. Petitioner

/versus/

1.The State of Tamil Nadu,
Rep.by its Secretary,
School Education Department,
St.Geroge Fort,
Chennai 600 008.

2.The District Collector,
Namakkal District,
Namakkal.

3.The District Educational Officer,
Namakkal District,
Namakkal.

4.The Head Master,
Govt.Primary School,
Pottireddi Patti,
Namakkal District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents from 1 to 4 to provide adequate compensation of 40,00,000/- to the petitioner for the injuries suffered in the accident occurred at the 4th respondent School Premises which was also reported in Crime No.120 of 2019 on the file of Erumpatty Police Station, Namakkal.

For Petitioner :No appearance
For Respondents :Mr.A.Kumar, AAG Asst.by
Mr.J.Purushothaman, GA

O R D E R

This writ petition has been filed praying to issue a Writ of Mandamus directing respondents 1 to 4 to provide adequate compensation of Rs.40,00,000/- for the injury sustained by the petitioner due to fall of the school compound wall during the school hours.

2. There is no representation for the petitioner.

3. The petitioner has sought for Rs.40,00,000/- for the injury sustained, relying upon the State of Tamil Nadu Victim Compensation Scheme.

4. The learned Additional Advocate General appearing for the respondents has filed a counter stating that as per G.O.(Ms) No.17, School Education Department, dated 07.02.2018, if any student sustained injury during class hours, they are entitled for Rs.50,000/- for compensation. Accordingly, the petitioner's father was paid Rs.50,000/- on 15.10.2019 by the third respondent. The petitioner herein has recovered from the injury and she is attending the class from 10.09.2019.

5. In the light of the above fact, this writ petition is disposed of recording the payment of compensation of Rs.50,000/- to the petitioner by the third respondent on 15.10.2019. If the petitioner is of the view that she is entitled for more compensation, she has to work out her remedy before the appropriate Forum. No costs. Consequently, Connected Miscellaneous Petition is closed.

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Sd/-
Asst.Registrar (CO)
/true copy/
Sub Asst. Registrar

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To:

1.The State of Tamil Nadu,
Rep.by its Secretary,
School Education Department,
St.Geroge Fort,
Chennai 600 008.

2.The District Collector,
Namakkal District,
Namakkal.

3.The District Educational Officer,
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4.The Head Master,
Govt.Primary School,
Pottireddi Patti,
Namakkal District.
+1 cc to the Government Pleader sr91094
+1 cc to M/s.G.Sakthivel Advocate sr90619

W.P.No.28254 of 2019

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